Having worked closely with Ms Rankin throughout the course of the evaluation of this application, I support the recommendations below.

Mr. O'hobain

Mr. Manley

Secretary General

Minister

Consent granted 29/12/15

c.c. Minister of State

1. Decision Sought:

That the Minister grant consent pursuant to section 40 of the Gas Act, 1976, as amended (the “Gas Act”) to Shell E & P Ireland Limited (“SEPI”L”) acting on behalf of SEPI, Statoil Exploration (Ireland) Limited and Vermilion Energy Ireland Limited (collectively the “Corrib Gas Partners”) to operate a natural gas pipeline from the Corrib gas subsea facilities to the gas terminal at Bellanaboy, Co. Mayo (the “Pipeline”) in accordance with the application of SEPI, on behalf of the Corrib Gas Partners, dated 18 August 2015 (the “Application”). The Application is set out in full at Appendix A to this submission.

2. Background

A brief history of the Corrib Gas Project is attached at Appendix B.

An assessment of the strategic benefit of the Project is attached at Appendix C.

An overview of the existing consents granted by the Minister in respect of the Corrib Gas Project is attached at Appendix D.

3. Application for the Consent to Operate

SEPI is applying for consent to operate the Pipeline, which includes both offshore and onshore portions, under Section 40 of the Gas Act from the Minister of Communications, Energy and Natural Resources (the “Minister”) (the “Consent to Operate”).

The Application was made to the Department of Communications, Energy and Natural Resources ("DCENR") on 18 August 2015. The following documents were submitted as part of the Application:

(a) Letter of Application for Consent to Operate (18 August 2015)

(i) Appendix A to the Cover Letter: Operational Impacts of the Corrib Gas Pipeline (“CNGP”). Roadmap for EIS Documentation (14 August 2015) The “roadmap” was prepared in ease of the consent giving authority and the public, and provides guidance on where to find the various elements of the EIS for the activities for which consent to operate is sought, in the already published EIS documentation prepared for the earlier consent to construct, a summary of the potential impacts of the operation of the CNGP on the environment, a summary of the residual impacts following application of proposed mitigation measures to address any potential significant effects from operation of the CNGP on the environment.
(ii) Appendix B to the Cover Letter: Glengad landfall 12 month Post Construction Intertidal Survey Report (February 2011)

(b) An Environmental Impact Statement (the “EIS”) consisting of:

(i) Corrib Field Development Offshore (Field to Terminal) Environmental Impact Statement (RSK Environment Ltd):

(A) Offshore Field to Terminal EIS and Appendices 2001 (reprinted 2008) (the “Offshore EIS”); and

(B) Offshore Supplementary Update Report and Appendices (Rev 03), 2010 (the “2010 Offshore Supplementary Update Report”);

(ii) Offshore Supplementary Update Report and Appendices (2010) (the “2010 SUR”, as defined in the application documentation)

(iii) Corrib Onshore Pipeline EIS (2010) (the “Onshore EIS”) comprising:

(A) Volume 1 of 3: Corrib Onshore Pipeline Non-Technical Summary and EIS;

(B) Volume 2 of 3: Corrib Onshore Pipeline EIS Appendices; and

(C) Volume 3 of 3: Srahmore Peat Deposition Site;

(iv) Additional Information Submitted to the DCENR in 2010 on foot of a Request for Further Information comprising:

(A) Non-Technical Summary;

(B) Additional Information to May 2010 Onshore Pipeline (Vol. 1);

(C) Geotechnical Data Package (Sruwaddacon Bay Ground Investigation Data 2010 (Vol. 1,2 and 3); and

(D) Engineering Integrity Material Re: Diameter of Tunnel and Effect on the Construction Schedule of Grouting the Tunnel,


(c) A Natura Impact Screening Statement (Screening for Appropriate Assessment) (the “AA Screening Statement”).

4. Minister’s Obligations

There are separate elements of any proposed decision to be taken by the Minister:

(a) first, the substantive decision as to whether or not to grant Consent to Operate under section 40 of the Gas Act;

(b) secondly, an Appropriate Assessment screening (“AA Screening”) decision under Regulation 42(1) of the European Communities (Birds and Natural Habitats Regulations), 2011 (as amended) (the “Habitats Regulations” as to whether or not an Appropriate Assessment (“AA”) is required and, if it is determined that one is required, a subsequent AA decision under Regulation 42(11) as to whether or not the
proposed operation of the Pipeline either individually or in combination with other plans and projects would adversely affect the integrity of the relevant European sites, in light of best scientific knowledge and the site conservation objectives in respect of each of the relevant European sites; and

(c) thirdly, the Minister must carry out an Environmental Impact Assessment ("EIA") to determine whether or not the proposed operation of the Pipeline either individually or in combination with other plans and projects would be likely to have a significant effect on the environment, in light of best scientific knowledge and this assessment should inform the Minister's decision to grant or refuse consent.

Each of the three elements of the Minister's decision is set out in turn below. The AA Screening, AA and EIA are separate and distinct exercises / assessments, which involve different legal tests and different matters for consideration. The Minister's duties, obligations and entitlements in carrying out these separate exercises / assessments and determining whether or not to grant consent are set out below.

In relation to the AA Screening (i.e. Stage 1), the Minister is obliged to determine that an AA is not required if it can be excluded on the basis of objective scientific information following a AA Screening, that the operation of the Pipeline, individually or in combination with other plans or projects, will have a significant effect on a European site. If the Minister reaches this conclusion, then it follows as a corollary that there will be no adverse effect on the integrity of a European Site.

It is important for the Minister to note that in coming to a view as to whether the Minister can grant the Consent to Operate the Pipeline, he, as the competent authority cannot grant consent without first having ascertained that the operation of the Pipeline will not have an "adverse effect on the integrity of a European site" under Regulation 42(16) of the Habitats Regulations. The determination required under Regulation 42(16) should not be confused with an AA decision under Regulation 42(11) of the Habitats Regulations, which is required if the Minister determines that it cannot be excluded, on the basis of objective scientific information following an AA Screening, that the operation of the Pipeline, individually or in combination with other plans or projects, will have a significant effect on a European site.

The Substantive Decision

Under Section 40 of the Gas Act, no person may operate an upstream pipeline unless consent is granted by the Minister. Section 40 provides:

"40(1) a person ... shall not, without the consent of the Minister ... construct or operate an upstream pipeline on, over or under the surface of land or of any sea bed that is situate in the territorial seas of the State or a designated area."

In determining the Application for Consent to Operate, save for his obligations in respect of EIA under sections 40A and 40B of the Gas Acts, and AA Screening and AA, if required, under Habitats Regulations the Minister does not have any express obligations, or matters that he is expressly required to have regard to under Section 40 of the Gas Act in making his primary decision as to whether or not to grant consent.

However, the Minister's power to grant or refuse consent must be exercised in the interests of the common good, and in accordance with the principles underlying the Gas Act, including as expressed in the Long Title. Drawing from the terms of the legislation as his guide, the Minister should take into account the following principles in coming to a view as to whether to grant Consent to Operate the Pipeline:
The need to ensure that the Application identifies all reasonable measures to ensure the protection of the natural environment and the avoidance of injury to the amenities in the area, as well as any relevant representations made;

Whether the Corrib gas field has strategic value in contributing to Ireland’s Security of Energy Supply and sustainability, which is an essential element of public security; and

Whether the proposed Pipeline is necessary to meet the principles and objectives here identified having due regard to the capacity of existing or proposed distribution or transmission pipelines in the particular geographical area.

In considering whether and how the Application meets the above principles and objectives, the Minister is obliged to take into account the likely effects of the operation of the Pipeline, in combination with other plans and projects, on the environment generally, and on relevant European sites specifically in accordance with the express statutory requirements in this regard. These are discussed below.

In the event that the Minister decides to grant Consent to Operate, the Minister is entitled pursuant to section 40B(6) of the Gas Act to attach such conditions to the grant as the Minister considers necessary to avoid, reduce and, if possible, offset the major adverse effects (if any) of the proposed operation of the Pipeline.

5. Engagement of Expert Advisors

In order to have the information necessary to allow him to fulfil his obligations, the Minister must have available to him the specialist expertise necessary to ensure an adequate examination of, and report on, the scientific and technical impacts of the operation of the Pipeline has been carried out and the results made available to him.

In addition, in order to ensure that the potential effects on the environment and European sites and protected species are lawfully and adequately assessed, the Minister is entitled to engage experts to assist him in carrying out an EIA, AA Screening and AA, if required. The Minister through the DCENR engaged Environmental Consultants, for this purpose.

Ramboll Environ UK Limited ("Ramboll Environ"), an international consultancy with expertise in environmental and human health and safety issues, were appointed by the Minister for their expertise in environmental and human health issues. Ramboll Environ was assisted in preparing its reports by Astrid Consulting Limited in the assessment of safety, design and integrity aspects, including abnormal events and by the Centre for Marine and Coastal Studies ("CMACS") in the assessment of offshore activities and impacts.

In addition to the consultants mentioned above, the Minister has the benefit of advice at Appendix F from the Petroleum Affairs Division Technical Section ("PAD TecSec") of the DCENR, which undertook an engineering integrity assessment of the as built Pipeline to ensure that the infrastructure can deliver the volumes of gas anticipated to be produced throughout the life of the project, so as to optimise the return to the State.

Under section 40B(7) of the Gas Act, the Minister, in carrying out his consideration and EIA of the operation of the Pipeline, is entitled to have regard to, and adopt in whole or in part or not at all, any reports prepared by officers of the Minister, or by consultants, experts or other advisors, as his EIA in respect of the project.

Specifically, section 40B(7) provides that "In carrying out the consideration and the environmental impact assessment of the application, the Commission or the Minister may
have regard to, and adopt in whole or in part, any reports prepared by officers of the Minister or the Commission, as the case may be, or by consultants, experts or other advisors."

Separately, while there is no equivalent express statutory entitlement in respect of the adoption of expert reports prepared for the purposes of carrying out the consideration and an AA Screening, there is accepted jurisprudence that public consent authorities, such as the Minister, have an implied entitlement to adopt an AA Screening report as his assessment for the purposes of the project, having regard in particular to the case of *Kelly v. An Bord Pleanála* [2014] IEHC 400.

In light of the above express and implied entitlements, the Minister, for the purposes of carrying out both an EIA and a separate AA Screening, is entitled to have regard to and adopt in whole or in part, or not at all, Environ’s respective reports entitled ‘Corrib Gas Pipeline Environmental Impact Assessment for operation of the Corrib Gas Pipeline’ (the “EIA Report”) and ‘Corrib Gas Pipeline Screening for Appropriate Assessment’ (the “AA Screening Report”).

In addition, the Minister is also entitled to adopt the report of his officials in PAD TecSec and also take into account and adopt this submission herein in whole or in part, or not at all. It should be noted, however, that the Minister is not obliged to adopt any or all of these reports or this submission, nor to slavishly follow their respective recommendations.

6. **Record of decision and duty to give reasons**

The Minister is obliged to provide the main reasons and considerations on which any decision to grant is based should he be so minded to grant the consent to operate.

The reasons given must record the fact that he has had regard to the appropriate documents set out above, which include the Application, the EIS, AA Screening Statement, and any other maps or plans. He must also record the fact that he has had regard to the submissions and observations validly made by members of the public, the NGO and statutory consultees. He must record the fact that he has carefully reviewed and considered these documents.

*Reasons for EIA Decision*

Under section 40B of the Gas Act, the Minister is obliged when he has made a decision to grant or refuse consent to inform the applicant and the public of his decision. He must also make available the following information to the applicant and the public:

(a) the content of the decision and any conditions attached to it;

(b) the Minister’s evaluation of the project’s direct and indirect effects on the environmental factors set out and the interaction between those factors,

(c) having examined all submissions and observation made to the Minister the main reasons and considerations—

   (i) on which the decision is based, and

   (ii) for the attachment of any conditions,

including reasons and considerations arising from or related to submissions or observations made by members of the public,

(d) a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects,
(e) any reports which he chooses to adopt (in whole or in part) prepared by officers of the Minister or by consultants, experts or other advisors such as Ramboll Environ,

(f) information for the public on the procedures available to review the substantive and procedural legality of the decision, and

(g) any views of another Member State of transboundary consultation, where relevant.

Reasons for AA Screening Decision or AA Decision

There is an increased obligation on public authorities and therefore the Minister to carry out an AA Screening in a comprehensive way and to support decisions by giving the reasoning for them. It is important that reasons and reasoning are provided in the record to justify all conclusions reached by the Minister.

If the Minister determines at the screening stage that there are no likely significant effects, then it is necessary to record and report the information relied upon to draw this conclusion to stand as a record of the information gathered and the judgments reached in the assessment process. Regulation 42(18) (a) of the Habitats Regulations provides that:

"A public authority shall make available for inspection any determination that it makes in relation to a plan or project and provide reasons for that determination, as soon as may be after the making of the determination or giving the notice, as appropriate, by members of the public during office hours of the offices of the authority and shall also make the determination or notice available in electronic form including by placing the documents on the authority's website."

In respect of expert reports, in proper exercise of his statutory role and function, the Minister, in determining whether to adopt all, some or none of the reports of his experts and advisors (including the within submission), should consider carefully the reports and their conclusions and recommendations. As outlined above, the Minister is not obliged to adopt any or all of these reports, and need not slavishly follow their recommendations, but he is also entitled adopt them if he so decides. The Minister should record his decision to adopt, not adopt or partially adopt these reports, and give reasons for his decision. If the Minister reaches a different conclusion to that reached by any of his technical experts, he must clearly and comprehensively provide his main reasons and considerations for so (Kelly v. An Bord Pleanála [2014] IEHC 400).

7. Summary of Application Process and Timeframes

The below table (Table 1) sets out a summary of the main dates that are relevant to the Application process.

<table>
<thead>
<tr>
<th>Application Process</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission of Application</td>
<td>18 August 2015</td>
</tr>
<tr>
<td>Public Notices Published</td>
<td>25 August 2015</td>
</tr>
<tr>
<td>Public Notices Inspected</td>
<td>21 October 2015</td>
</tr>
<tr>
<td>Final Date for Submissions from Statutory Consulees</td>
<td>25 September 2015</td>
</tr>
<tr>
<td>Submissions received from statutory consulees</td>
<td>7 and 25 September 2015</td>
</tr>
<tr>
<td>Final Date for Submissions from the Public and NGOs</td>
<td>25 September 2015</td>
</tr>
</tbody>
</table>
8. **Phased Consent Process**

A consent to construct the Pipeline under section 40 of the Gas Act was granted by the then Minister on 25 February 2011. A consent to operate the Pipeline was not granted at that time because only an application for consent to construct the Pipeline was submitted to the Minister, at that time. The adoption of a phased consent process has given rise to a number of benefits.

(a) *Compliance with Approved Design and Consent to Construct Conditions*

It has enabled the Minister to obtain confirmation that the Pipeline was constructed in accordance with the approved design and that the conditions attached to the consent to construct granted by the Minister were materially complied with, before he considers whether or not to grant a Consent to Operate the Pipeline.

In this regard, Ramboll Environ was engaged to assist in the monitoring of compliance with the conditions of the consent to construct throughout the construction period for the Pipeline from August 2011 to September 2015 (when construction of the Pipeline was completed). Ramboll Environ prepared a report entitled ‘Corrib Gas Pipeline Construction Consent Conditions Compliance Monitoring: Closing Report’ dated 17 November 2015 which can be found at Appendix E hereto. The report concludes that:

> “From the assessments detailed in the preceding sections of this report, it is our professional judgement that the Corrib Gas Pipeline has been constructed in material compliance with all applicable conditions attached to the consent to construct the Corrib gas pipeline issued by the Department of Communications, Energy and Natural Resources on the 25th February 2011 under Section 40 of the Gas Act 1976 (as amended).

I have carefully read and considered this report and on the basis of its contents, I recommend that the Minister can be satisfied that the Pipeline has been constructed in material compliance with all applicable conditions attached to the consent to construct.
(b) **Construction of the Pipeline caused no significant effects on the environment generally or on European sites / protected species**

In addition, Environ has confirmed in its AA Screening Report that it has "assessed the post construction monitoring and surveys presented in the Application and conclude that they do not identify any significant effects on any European Sites".

(c) **Engineering Integrity of the Pipeline**

The PAD TecSec has undertaken an engineering integrity assessment of the as built Pipeline to ensure that the infrastructure can deliver the volumes of gas anticipated to be produced throughout the life of the project, so as to optimise the return to the State.

It is the opinion of the PAD TecSec of DCENR that the Pipeline system comprising:

(i) the offshore and onshore sections of the 20 inch gas pipeline from the subsea manifold in the field to the gas processing terminal, including the Landfall Valve Installation,

(ii) the onshore and offshore sections of the control umbilical from the gas processing terminal to the subsea manifold,

(iii) the subsea manifold and flowlines and control umbilicals connecting wellheads to the manifold and

(iv) water outflow pipe for discharging at sea treated surface water from the gas processing terminal

as built, are appropriate for ensuring maximised economic recovery of gas in accordance with the terms of the Petroleum Lease, and are to a design generally in accordance with the best national and international industry practice. The PAD TecSec report is attached at Appendix F.

I have carefully read, reviewed and considered this confirmation and I am in agreement with this opinion. On that basis, I recommend that the Minister can be satisfied that the engineering integrity of the entire Pipeline has been confirmed by the PAD TecSec as being generally in accordance with best national and international industry practice and fit to deliver the volumes of gas produced throughout the life of the project, so as to optimise the return to the State.

(d) **Structural Integrity of the Pipeline**

Insofar as the structural integrity and safety of the Pipeline is concerned, the Commission for Energy Regulation's (the "CER") safety production permit relating to the safety aspects of the Pipeline has now been granted on 11 June 2015 in advance of any determination on whether or not to grant Consent to Operate the Pipeline. The responsibility for the regulation of petroleum safety was conferred by the Minister on the CER. The CER issued a Production Safety Permit on 26 November 2014 and a Revised Production Safety Permit on 11 June 2015 in respect of the entire Corrib Gas Field, including the Pipeline, pursuant to section 13P of the Electricity Regulation Act 1999 (as inserted by the Petroleum (Exploration and Extraction) Safety Act, 2010). I am satisfied that the CER is the appropriate expert authority with respect to offshore petroleum safety and that the Minister can rely on its determinations in accordance with the provisions of the Petroleum (Exploration and Extraction) Safety Act, 2010. In granting the Production Safety Permit, the CER has been satisfied that
SEPIL is capable of implementing the safety management system described in the safety cases, which the CER has approved.

Separately, the Environmental Protection Agency’s (“EPA”) decision in granting an Industrial Emissions (“IE”) Licence (PO738-03) (the “IE Licence”) in respect of the gas refinery and combustion plant has also now been granted in advance of any determination by the Minister and it is noted that the EPA has in its IE Licence stated that it is of the opinion that the risk of a potential accident is “extremely low” and that any accident would be of short duration due to the required mitigation measures imposed in the IE Licence.

9. AA Screening Decision

Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the “Habitats Directive”), as implemented in Irish law, envisaged a two-stage process. The Minister’s obligations under Regulation 42 of the Habitats Regulations involve either a one or two-stage process. The first stage is “screening” for AA, which essentially involves the Minister determining whether or not an AA needs to be carried out. If the Minister determines that an AA is not required, the second stage does not arise. However, if the Minister determines that an AA is required, the second step of the process is the carrying out of an AA itself.

The Minister, in compliance with his obligations in EU law and under Article 42 of the Habitats Regulations, which transpose the Birds and Habitats Directives into Irish law, is required to carry out an AA Screening in respect of the operation of the Pipeline in advance of granting the Consent to Operate, should he be minded to grant same.

In carrying out the AA Screening exercise, the Minister must assess whether the operation of the Pipeline either on its own, or, in combination with other plans or projects, is likely to have a significant effect on each of the relevant European site(s), or cause significant deterioration of habitats and disturbance to species. In undertaking this assessment, the Minister must:

(a) consider the “best scientific knowledge”;
(b) consider the conservation objectives of the site concerned; and
(c) assess the effects of the plan or project individually and in combination with other plans and projects on the European site(s) in view of their conservation objectives.

The Minister also has an obligation to ensure that the operation of the Pipeline does not cause the deterioration of natural habitats and the habitats or species, or significant disturbance of species for which areas have been designated.

For the purposes of carrying out an AA Screening, the Minister must examine and assess inter alia the information contained in the Application, including the AA Screening Statement, the submissions and observation received from the public, the statutory consultees and the NGO. The Minister is entitled to request further information should he wish to do so.

In carrying out his AA Screening, the Minister must also take account of the AA Screenings and / or AAs carried out by earlier consent authorities in respect of the operation of the Pipeline, as he is obliged to do in accordance with Regulation 42(21) of the Habitats Regulations, 2011. In this regard, the Minister must consider the following assessments:

(i) The habitats assessment undertaken in 2010 by An Bord Pleanála (the “Board”) with respect to the construction and operation of the Corrib Gas Pipeline; and
The habitats assessment undertaken by the Marine Licence Vetting Committee / Minister for the Environment, Community and Local Government (the "Minister for the Environment") with respect to the Foreshore Licence.

A Stage 2 AA is required if the outcome of the Stage 1 AA Screening is that the operation of the Pipeline is likely either alone or in combination with other plans and projects to have a significant effect on any European site.

It should be noted that the AA Screening exercise is a separate and distinct exercise to the EIA which must be carried out in respect of the project. The legal tests for each respective assessment are different and involve different considerations.

10. AA Screening

Ramboll Environ has been engaged as an expert consultant to advise the Minister on the carrying out of an AA Screening exercise and to prepare an AA Screening Report to determine whether the operation of the Pipeline, either alone or in combination with other plans and projects is likely to have any significant effects on the relevant European sites, in light of best scientific knowledge and the conservation objectives of each of the relevant European sites. Ramboll Environ was assisted in preparing its AA Screening Report by Astrid Consulting Limited in the assessment of safety, design and integrity aspects, including abnormal events and by the CMACS in the assessment of offshore activities and impacts.

Ramboll Environ has prepared an AA Screening Report, dated 22 December 2015, which is attached at Appendix 1 to this document. The documents examined by Ramboll Environ are set out at Appendix 1 to the AA Screening Report.

In preparing its AA Screening Report in respect of the operation of the Pipeline, Ramboll Environ had to have regard to (and has confirmed that it did in fact have regard to) the following information:

- the Application;
- all documentation submitted with the Application, and in particular, the AA Screening Statement and any other material including maps and plans;
- the other plans and projects that may, in combination with the operation of the Pipeline, have a significant effect on the relevant European sites;
- the submissions of the public, the NGO, and the statutory consultees, in particular the submission of the Department of Arts, Heritage and the Gaeltacht (the “DAHG”).

(a) Adequate Information Received

The content of the Application, including the AA Screening Statement and any other material including maps and plans) submitted as part of the Application were required to be, and were, considered by Ramboll Environ in order to determine whether these adequately identified, described and assessed the potential significant effects (both alone and in combination with other plans and projects) of the proposed operation of the Pipeline on European sites, species and habitats, as required by the Birds and Habitats Directives and transposing legislation.

Ramboll Environ has confirmed in its AA Screening Report at paragraph 4.1 that “… the NISS contains all necessary information to undertake the screening process, including a clear overview of the project, details of the European Sites in the area
surrounding the CNGP (including any recent changes to the Natura sites network), and any likely significant effects on the European Sites both from the CNGP in isolation and in combination with other plans or projects", and separately at paragraph 5 that "the information supplied by SEPIIL satisfies the requirements of the Habitats Regulations 2011-2015 and no further information is required to be requested by the Minister".

Having regard to the above information, advice and conclusions, and without prejudice to the Minister's entitlement to request any such further information as he considers necessary to carry out an AA Screening exercise, I recommend that the Minister is entitled to be satisfied that the information provided was adequate for the purposes of having Ramboll Environ assist the Minister is carrying out an AA Screening, and that there is no requirement for the Minister to request further information in this regard. However, the Minister is entitled to request further information should he wish to do so.

(b) Public Consultation

Regulation 42(13) of the Habitats Regulations and Article 6.3 of the Habitats Directive affords the Minister the discretion as to whether or not a public consultation should be carried out when, specifically, a Stage 2 AA is being carried out. Regulation 42(13) provides that:

"A public authority may, for the purposes of conducting an Appropriate Assessment, if it considers it appropriate, invite the opinion of the general public and, if it does so, it shall take such steps for that purpose as it considers necessary."

(Emphasis added)

Notwithstanding the fact that Regulation 42(13) does not make public consultation mandatory when an initial AA Screening is being carried out, the Minister exercised his discretion to engage in a public consultation process in any event, and invited the opinion of the general public on 25 August, 2015 in respect of the AA Screening Statement (and other documentation) submitted by SEPIIL with the Application.

Ramboll Environ has reviewed, from a technical perspective, the submissions and observations validly made by members of the public, the NGO and statutory consultees during the public consultation process that concluded on 25 September 2015, insofar as they relate to potential effects on European sites, habitats of species or disturbance of species for which areas have been designated as a result of the proposed operation of the Pipeline either alone or in combination with other plans and projects.

At Section 4.5 of the AA Screening Report, Ramboll Environ confirms that each submission was reviewed to determine:

- Its relevancy to the operation of the CNGP;
- Whether the issue or issues in the submission have been adequately addressed in the Application;
- Whether the issue or issues in the submission relate to significant effects of the operation of the CNGP;
- Whether further information is required from the Applicant to satisfactorily address the issue or issues raised in the submission, or whether any issue or issues can be satisfactorily addressed by means of a consent condition.
The AA Screening Report provides a summary of each submission and comments in Appendix 3 thereof. However, the full text of all representations made is appended to this report for the Minister's purposes at Appendix M and it is important that the Minister have regard to the submissions made in their entirety.

Ramboll Environ confirms, that from its review of the submissions, it is apparent to Ramboll Environ that many voice concerns that are not applicable to the remit of the assessment of the operation of the Pipeline. Ramboll Environ has confirmed that there are also a number of submissions that relate to legal queries on the approval/permitting process itself and are outside of the scope of Ramboll Environ's review of environmental concerns in respect of the operation of the Pipeline. These issues are considered at Section 14 below.

Ramboll Environ has confirmed that the remaining issues relevant raised in the submissions are considered to have been adequately addressed in the documentation supporting the Application, and that some issues raised in the submissions are relevant to the conditions which they have recommended by attached to any Consent to Operate, if granted (the proposed draft conditions are set out at Appendix 2 of the AA Screening Report). For clarity, these proposed conditions are attached at Appendix I hereto.

Having carefully read and considered Ramboll Environ's review of the submissions and having carefully read and considered the submissions themselves, without prejudice to the Minister considering otherwise, I recommend that the Minister is entitled to be satisfied that Ramboll Environ has had regard to these submissions when appropriate when reaching its conclusions in the AA Screening Report and when recommending conditions to attach to any Consent to Operate that may be granted. As such, the Minister is entitled to adopt Ramboll Environ's AA Screening Report in whole or in part, including the part which addressed submissions. As outlined above, the aspects of the submissions that are beyond the scope of Ramboll Environ's assessment are dealt with at Section 14 below.

(c) Previous assessments in respect of the Pipeline

In accordance with Article 42(21) of the Habitats Regulations the Minister in his capacity as a "subsequent authority" in carrying out an AA Screening of the operation of the Pipeline, and with the expert assistance of Ramboll Environ, must take account of the AA Screening and/or AA of any other authorities who previously carried out AA or AA Screening in relation to the operation of the Pipeline, and of information, including any Natura Impact Statements ("NIS") and/or any AA / Natura Impact Screening Statements that were prepared for consideration by those authorities in relation to the operation of the Pipeline.

The other authorities who undertook habitats assessments in respect of operation of the Pipeline are the Board and the Minister for the Environment.

On 9 September, 2015, the Minister wrote to each of the Board and the Minister for the Environment requesting any information taken into account by them in carrying out their respective habitats assessments in respect of the Pipeline. On 16 October, 2015, the Minister was referred to online sources of the following information from the Board and the Minister for Environment:

- http://www.pleanala.ie/casenum/GA0004.htm

- http://www.environ.ie/en/CoastalAreas/ApplicationsSubjecttoEIA/ShelleIrelandLtd5618/
The information received from the above consent authorities has been printed out and attached in full at Appendix K hereto.

Ramboll Environ has taken account of the following habitats assessments carried out by the other respective consent authorities in respect of the operation of the Pipeline, in accordance with Regulation 42(21) of the Habitats Regulations, for the purposes of preparing its AA Screening Report:

- The habitats assessment undertaken in 2010 by the Board in granting planning permission to SEPIIL on 18 January 2011 for the re-routing of the onshore Corrib Gas Pipeline insofar as it is relevant to the operation of the Pipeline; and

- The habitats assessment undertaken by the Minister for the Environment / the Marine Licence Vetting Committee in granting a Foreshore Licence to SEPIIL on 22 July 2011 for the portion of the Pipeline located on the foreshore, insofar as it is relevant to the operation of the Pipeline.

as the two above-mentioned public authorities also undertook AA and/or AA Screening in respect of the same project - i.e. the Pipeline sections which are located onshore and on the foreshore.

Ramboll Environ confirms that the Board in undertaking its assessment in respect of the re-routing of the onshore portion of the Pipeline considered that the proposed development “would not be likely to have significant effects on the environment or on any European Site”. The DCENR made observations to the Board as part of the consultation process into the said application for planning consent for the modified Pipeline route. Copies of these observations are attached at Appendix N hereto.

Insofar the assessment by Minister for the Environment / the Marine Licence Vetting Committee in respect of the portion of the re-routed Pipeline on the foreshore is concerned, Ramboll Environ notes that it was focussed on “potential impacts during construction of the CNGP” and that the decision to undertake a Stage 2 appropriate assessment was not based on the operation of the CNGP. Ramboll Environ also notes that a single aspect of the construction activities considered as part of that assessment related to Pipeline stabilisation and confirms that future maintenance Pipeline stabilisation during operation of the proposed Pipeline is considered in the context of the Application for the consent to operate in Section 4.3 of its AA Screening Report.

(d) Interactions

The Minister was referred by the EPA to online sources of the following information from www.epa.ie, including the EPA’s Inspector’s Report, which contained the AA undertaken by the EPA in its consideration of SEPIIL’s application for an IE Licence. The DCENR had previously made observations to the EPA as part of the consultation process into the IE Licence application. Copies of these observations are attached at Appendix O hereto.

While the EPA is not imbued with consent functions in respect of the CNGP specifically, Ramboll Environ has taken account of the EPA’s AA for the Bellanaboy Bridge Gas Terminal (the “BBGT”) in order to assess the potential impacts of the emissions from the BBGT on European sites. In its AA Screening Report, Ramboll Environ discusses, identifies and assesses those emissions from the BBGT which it says partly relate to the Pipeline. Ramboll Environ is of the opinion that, in terms of interaction between the Pipeline and the BBGT, there are two discharges that arise from the operation of the BBGT rather than from the operation of the Pipeline, but
that are related to the “CNGP infrastructure”, and one type of emission related to the operation of the Pipeline that is managed at the BBGT that needs to be considered. Having set out its analysis and assessment of these discharges/ emissions, Ramboll Environ reaches the conclusion that “In terms of potential cumulative effects of the operation of the CNGP and operation of the BBGT in addition to the emissions described and assessed above, we have examined the potential interactions between the CNGP and the BBGT, including consideration of: the assessment provided in section 4.3 (including consideration of mobile species between European sites); the absence of any significant emissions from the normal operation of the CNGP that could act in combination with emissions from the BBGT; and the safety measures in place for the BBGT and CNGP to prevent impacts from unplanned events. From this assessment we conclude that during operations there are no likely significant in combination effects resulting from the interaction of the CNGP and the BBGT”.

(e) AA Screening Report Conclusions

Ramboll Environ, at section 5 of the AA Screening Report confirms that it has “examined, analysed and evaluated the operation of the CNGP that is the subject of the Application and, in light of the best scientific knowledge and the conservation objectives of the European Sites, we conclude that the operation of the CNGP either alone or in combination with other plans or projects (see sections 1.2 and 4.3.4):

- would not result in any likely significant effects on European Sites;
- would not result in likely significant disturbance of species; and
- would not result in likely significant deterioration of habitats.”

Ramboll Environ further concludes on the basis of the above, that “an appropriate assessment is not required”.

Having regard to, and having carefully considered in its entirety, the AA Screening Report and in particular the conclusions reached by Ramboll Environ therein, in accordance with Regulation 42(7) of the Habitat’s Regulations, and having regard to the fact that the proposed operation of the Pipeline is not a project which is directly connected with or necessary to the management of any of the respective European Sites discussed in the AA Screening Report, I recommend that the Minister can be satisfied that he may adopt the Ramboll Environ Report in whole or in part as his Stage 1 appropriate assessment screening should he wish to do so, or not adopt it at all. Should the Minister consider that a Stage 2 AA is required, notwithstanding Ramboll Environ’s opinion that it is not, the Minister may proceed to carry out this assessment.

If the Minister reaches the conclusion that operation of the Pipeline, either individually or in combination with other plans or projects, would not result in any likely significant effects on European Sites such that no Stage 2 AA is required, then it follows as a corollary that there will be no adverse effect on the integrity of a European Site.

Separately, and solely for the purpose of complying with Regulation 42(16) of the Habitats Regulations, therefore I recommend, having regard to the conclusion reached in the AA Screening report, that the Minister can be satisfied that the operation of the Pipeline will not adversely affect the integrity of any of the relevant European sites. As explained above, the Minister is not entitled to grant consent, should he be minded to do so, unless he makes this determination pursuant to Regulation 42(16).
11. **EIA Process**

The Minister, in compliance with his obligations in EU law and under section 40, 40A and 40B of the Gas Act, which transpose the EIA Directive into Irish law, is required to carry out an EIA in respect of the operation of the Pipeline in advance of granting the Consent to Operate, should he be minded to grant same.

In carrying out the EIA, the Minister must assess whether the operation of the Pipeline either on its own, or, in combination with other plans or projects, is likely to have a significant effect on the environment. In undertaking his assessment, the Minister must consider “best scientific knowledge”.

Under section 40B of the Gas Act, in carrying out the EIA the Minister must assess (which includes carrying out examination, analysis and evaluation to identify, describe and assess in an appropriate manner, in light of each individual case and in accordance with Articles 4 to 11 of the EIA Directive, the direct and indirect effects of the proposed operation of the Pipeline, alone or in combination with other plans and projects, on the following factors (“environmental factors”) namely—

(i) human beings, flora and fauna,

(ii) soil, water, air, climate and the landscape,

(iii) material assets and the cultural heritage, and

(iv) the interaction between the factors mentioned in subparagraphs (i), (ii) and (iii)

An EIA is defined as:

“an assessment, to include an examination, analysis and evaluation, carried out by ... the Minister in accordance with [section 40B] that shall identify, describe and assess in an appropriate manner, in light of each individual case and in accordance with Articles 4 to 11 of the Directive, the direct and indirect effects of a proposed development on the following factors (“environmental factors”) namely—

(i) human beings, flora and fauna,

(ii) soil, water, air, climate and the landscape,

(iii) material assets and the cultural heritage, and

(iv) the interaction between the factors mentioned in subparagraphs (i), (ii) and (iii)”

In carrying out an EIA, the Minister is obliged to have regard to the documentation submitted with the Application, and submissions or observations validly made in relation to the effects on the environment of the proposed development, including those made by other consent authorities, statutory consultees, the NGO or members of the public, and, if appropriate, any views of another Member State following consultation under subsection (7)(a) of section 40A. The list of matters to which the Minister must have regard in carrying out the consideration and EIA of the Pipeline are set out in section 40B(5) of the Gas Act, which provides that:

“(5) In carrying out the consideration and environmental impact assessment of the application, ... the Minister... shall have regard to the following matters:

(a) the particulars submitted with the application for consent ... including the environmental impact statement and any other material including maps and plans,
(b) any additional material submitted in response to a request for further information, if any, pursuant to subsections (1) and (3)(b) of section 40A,

(c) any submissions or observations validly made in relation to the effects on the environment of the proposed development including those made by other consent authorities, statutory consultees or members of the public, and

(d) any views of another Member State following consultation under subsection (7)(a) of section 40A."

The Minister must carefully review and consider the content of the EIS (and any other material including maps or plans) submitted as part of the Application and determine whether same adequately identifies, describes and assesses the direct and indirect effects of the proposed development alone or in combination with other plans and projects. If the EIS (and other material) is inadequate, then the Minister must request further information setting out the manner in which the information is inadequate and requiring SEPIL to submit any required further information to remedy these inadequacies. In this regard, section 40B(4) of the Gas Act provides that:

"(4) The ...Minister ... shall consider the content of the environmental impact statement (and any other material including maps or plans) submitted as part of the application and determine whether same adequately identifies, describes and assesses the direct and indirect effects of the proposed development. If the environmental impact statement (and other material) is inadequate, then the ...the Minister, as the case may be, shall serve a notice requesting further information setting out the manner in which the information is inadequate and requiring the applicant to submit further information to remedy these inadequacies."

Under section 40A(7)(a) of the Gas Act 1976, if it is considered that the proposed operation of the Pipeline would be likely to have significant effects on the environment in another Member State of the European Communities or a state which is party to the Transboundary Convention on Environmental Impact Assessment, then the Minister must consult with that Member State. Environ has concluded in paragraph 4.9 of its EIA Report that the potential for transboundary effects of the operation of the Pipeline upon other Member States has been examined, analysed and evaluated and that it has come to the conclusion that "no significant transboundary effects are likely upon another Member State on the grounds of there being no likely significant effects from operation of the Pipeline. The conclusion that there are no likely significant effects from operation of the Pipeline (and hence no potential for transboundary impacts) is based on the findings of this assessment as set out in sections 4 and 5 of this report, which are inter alia:

- There is no likely significant effect from operation of the offshore Pipeline (section 4.3)
- There is no likely significant effect from operation of the LVI (section 4.4)
- There is no likely significant effect from operation of the onshore Pipeline (section 4.5)
- The risk of significant harm to the environment from a loss of containment of Pipeline gas may be described as "negligible" (section 4.6.3)
- Operation of the CNGP is not likely to give rise to significant environmental effects when assessed in combination with other plans and projects (section 4.7 and 4.8).
Environ also notes that no other Member State has requested information on transboundary impacts in connection with the operation of the Pipeline.

12. **Environmental Impact Assessment**

Ramboll Environ has been engaged as an expert consultant to advise the Minister on the carrying out of an EIA and to prepare an EIA report to determine whether the operation of the Pipeline, either alone or cumulatively with other plans and projects, is likely to have a significant effect on the environment. Ramboll Environ was assisted in preparing its EIA Report by Astrid Consulting Limited in the assessment of safety, design and integrity aspects, including abnormal events and by the CMACS in the assessment of offshore activities and impacts.

Ramboll Environ has prepared an Environmental Impact Assessment Report, dated 22 December 2015 (the “EIA Report”) which is attached at Appendix G to this document. The documents examined by Ramboll Environ are set out at Appendix 1 to the EIA Report.

In preparing its EIA Report in respect of the operation of the Pipeline, Ramboll Environ had to have regard to (and has confirmed that it did, in fact, have regard to) the following information:

- the Application;
- all documentation submitted with the Application, and in particular, the EIS and any other material including maps and plans;
- the other plans and projects that may, in combination with the operation of the Pipeline, have a significant effect on the environment;
- the submissions of the public, the NGO, and the statutory consultees, in particular the submission of the Department of Arts, Heritage and the Gaeltacht (the “DAHG”).

(a) **Adequate Information Received**

The content of the Application, including the EIS and any other material including maps and plans) submitted as part of the Application were required to be, and were, considered by Ramboll Environ in order to determine whether these adequately identified, described and assessed the potential significant effects (both alone and cumulatively with other plans and projects) of the proposed operation of the Pipeline on the environment, as required by the EIA Directive and transposing legislation.

Ramboll Environ has confirmed at paragraph 6.1.1 of its EIA report that “documentation provided in the Application is adequate for completing the environmental impact assessment and no further information has been required to undertake the assessment”

Having regard to the above information, advice and conclusions, and without prejudice to the Minister’s entitlement to request any such further information as he considers necessary to carry out an EIA, I recommend that the Minister is entitled to be satisfied that the information provided was adequate for the purposes of having Ramboll Environ assist the Minister is carrying out an EIA, and that there is no requirement for the Minister to request further information in this regard. However, the Minister is entitled to request further information should he wish to do so.
Public Consultation

The Minister is obliged under section 40B(5) of the Gas Act to have regard to the submissions or observations validly made in relation to "the effects on the environment" of the proposed operation of the Pipeline in considering the application and carrying out the EIA.

Ramboll Environ has reviewed, from a technical perspective, the submissions and observations validly made by members of the public, the NGO and statutory consultees during the public consultation process that concluded on 25 September 2015, insofar as they relate to effects on the environment of the proposed operation of the Pipeline, either alone or cumulatively with other plans or projects.

At Section 5.1.1 of the EIA Report, Ramboll Environ confirms that each submission was reviewed to determine:

- Its relevancy to the operation of the CNGP;
- Whether the issue or issues in the submission have been adequately addressed in the Application;
- Whether the issue or issues in the submission relate to significant effects of the operation of the CNGP;
- Whether further information is required from the Applicant to satisfactorily address the issue or issues raised in the submission, or whether any issue or issues can be satisfactorily addressed by means of a consent condition;

The EIA report provides a summary of each submission and comments in Table 9 thereof. However, the full text of all representations made is appended to this report for the Minister’s purposes at Appendix M and it is important that the Minister have regard to the submissions made in their entirety.

Ramboll Environ confirms at paragraph 5.1.1 of its EIA Report, that from its review of the submissions, it is apparent to Ramboll Environ that many voice concerns that are not applicable to the remit of the assessment of the operation of the Pipeline. Ramboll Environ has confirmed that there are also a number of submissions that relate to legal queries on the approval/permitting process itself and are outside of the scope of Ramboll Environ’s review of environmental concerns in respect of the operation of the Pipeline. These issues are considered at Section 14 below.

Ramboll Environ has confirmed that the remaining issues raised in the submissions are considered to have been adequately addressed in the documentation supporting the Application, and that some issues raised in the submissions are relevant to the conditions which they have recommended be attached to any Consent to Operate, if granted (the proposed draft conditions are set out at Appendix 2 of both the AA Screening Report and the EIA Report). For clarity, these proposed conditions are attached at Appendix I hereto.

Having carefully read and considered Environ’s review of the submissions and having carefully read and considered the submissions themselves, without prejudice to the Minister considering otherwise, I recommend that the Minister is entitled to be satisfied that Ramboll Environ has had regard to these submissions when appropriate when reaching its conclusions in the EIA Report and when recommending conditions to attach to any Consent to Operate that may be granted. As such, the Minister is entitled to adopt Ramboll Environ’s EIA Report is whole or in part, including the part
which addressed submissions. As outlined above, the aspects of the submissions that are beyond the scope of Ramboll Environ’s assessment are dealt with at Section 14 below.

(c) Interactions

The project in respect of which the EIA is to be carried out is the operation of the Pipeline. It was considered necessary for the purposes of assessing potential cumulative effects on the environment of other plans and projects in combination with the proposed operation of the Pipeline, to have regard to the potential environmental effects of the operation of the gas terminal into which the Pipeline will connect, insofar as those environmental effects result from the operation of the Pipeline. The EIA carried out by the EPA in respect of the operation of the gas terminal, a revised Industrial Emissions licence for which was granted 8 October 2015 has therefore been examined by Ramboll Environ.

Separately, in addition to assessing the interaction of the Corrib gas pipeline with the Mayo to Galway pipeline, Ramboll Environ confirms that it has examined the potential interactions between the Pipeline and the Mayo to Galway gas pipeline, including consideration of: the spatial separation between the two pipelines (the two pipelines are separated by the gas terminal – see above); the assessment provided above and in sections 4.3 to 4.7 of the EIA Report; and the safety measures in place for the Mayo to Galway gas pipeline to prevent impacts from unplanned events. From this assessment Environ concludes that during operations there are no likely significant environmental effects resulting from the interaction of the Pipeline and the Mayo to Galway gas pipeline.

Ramboll Environ elaborate on these interactions at section 4.9 of the EIA Report.

(d) Ramboll Environ’s EIA Report Conclusion

Ramboll Environ, at paragraph 6.1.1 of the EIA Report confirms that: “On the basis of an examination, analysis and evaluation of the Application and submissions and observations validly made in relation to the effects on the environment of operation of the CNGP either alone or in combination with other plans and projects (including those made by other consent authorities, statutory consultees, NGOs and members of the public), it is concluded that operation of the CNGP is not likely to give rise to significant environmental effects when assessed in combination with other plans and projects (see Sections 1.21.1 and 4.9).”

Ramboll Environ further conclude that from “examination, analysis and evaluation that there is no potential for significant transboundary effects upon other Member States from CNGP operation on the grounds of there being no likely significant effects from operation of the CNGP. No other Member State has requested information on transboundary impacts in connection with the operation of the CNGP.”

Having regard to, and having carefully considered in its entirety, the EIA Report and in particular the conclusions reached by Ramboll Environ therein, I recommend that the Minister can be satisfied that the proposed operation of the Pipeline is not likely to have a significant effect on the environment, either alone or in combination with other plans or projects.

In coming to his decision, the Minister is entitled, but not obliged, to adopt some, all or none of the EIA Report prepared by Ramboll Environ pursuant to section 40B(7)
of the Gas Act as an EIA by the Minister for the purposes of section 40B of the Gas Act.

13. Surface Water outfall pipe

On 13 of March 2015, a section of surface water outfall (HDPE) 10” pipe approximately 800m in length was observed to be afloat on the surface of Broadhaven Bay. This pipe is used to discharge treated surface water from the BBGT.

Measures were implemented in the days following the initial incident to sink the water outfall pipe through the use of temporary anchors attached to the HDPE outfall pipe. Initial visual observations indicated that pipe which had disconnected was undamaged.

Following the initial anchoring, additional remedial works on the water outfall pipe commenced in accordance with the approved method statement. On 16 April 2015 a ROV survey was undertaken which identified localised damage to the water outfall pipeline at the western most extent of the exposed line. Following a review of the damage, an engineering assessment was undertaken and rectification measures have been developed.

The water outfall pipeline was installed in 2009 and use of the pipe commenced in November 2014 for the discharge of treated surface water from the BBGT. When the incident was identified on 13 March 2015, use of the water outfall pipeline was halted until the 31 March 2015. Treated surface water was again discharged via the water outfall pipeline thereafter and ceased on 4 April 2015, in advance of remedial works being undertaken.

The investigation report presented the likely causes of the incident and recommendations for prevention of a recurrence. These are summarised here in the following section: From the investigation it has been determined that the likely causes of the incident were as follows:

- Displacement of rock during storm. The rock had been placed on the pipeline in annual rock placement campaigns.
- Insufficient rock cover on sections of pipeline.
- Potential introduction of air into the water outfall pipeline from the operation of the water treatment at the BBGT.

It is considered that some of the rock placement campaigns that were undertaken since the offshore Pipeline was installed in 2009, were not as effective as required in the long term. In 2012 it had been identified that erosion of the seabed was taking place at certain sections along the Pipeline route and these sections were targeted for rock protection works.

However, storm events resulted in some of this rock material being displaced from the area around the Pipeline. In October 2014, findings from the latest rock placement campaign showed that approximately 0.6km of the pipe was exposed. It was too late in the season to undertake rock placement on these exposed areas. It was within this area that the water outfall pipe became decoupled from the gas pipe and floated to the surface.

There was a potential to introduce air into the outfall pipe due to the operation of the surface water treatment plant at the BBGT which increased the water outfall pipe buoyancy and load. Permanent measures to be implemented to secure the pipe and services are likely to be concrete mattressing and additional rock placement. Initial findings indicate that the additional rock armour should be heavier than that which was originally installed consistent with that from KP 80.9 to KP 81.5.
Following an investigation by Ramboll Environ, the DCENR was satisfied that there is a robust system in place to demonstrate that the integrity of the offshore outfall pipeline has not been compromised as a result of the detachment of a section of the outfall pipe.

Arising from the Ramboll Environ investigations, the following was stipulated:

- Annual surveying of offshore Pipeline and services to be maintained and findings for required work implemented. Reporting of the findings of the surveys and where required, reporting of recommendations.
- Preservation strategy for outfall pipeline and other services to be updated to include the above recommendations.
- Engineering modification to be undertaken on the pump/sump arrangement on the water treatment plant discharge.

The full details of the assessment of the incident notification and the EMP were made available to the public on the DCENR Website.

14. Submissions Received Pursuant to the Public Consultation Processes

In accordance with section 40B(2) of the Gas Act, where an EIS is submitted as part of an application for Consent to Operate under section 40, the DCENR published notice confirming that the application had been made and providing a date by which submissions could be made by any member of the public.

The Gas Act 1976 (Sections 4 and 40A) Regulations 1990, made pursuant to Section 40A (2) of the Gas Act provide that the applicant is required to publish details of the EIS accompanying the Application for consent to construct a Pipeline. In accordance with the provisions of section 40A (4), the prescribed bodies set out in S.I. 51 of 1990 and the Administrative Order of 15 March 2002 were consulted and confirmation of this notification has been provided to the DCENR by SEPIL are attached at Appendix K hereto. These bodies include inter alia:

- All local authorities in whose area (all or part of) a proposed gas Pipeline should be situated
- The Department of the Arts, Heritage and the Gaeltacht;
- The Department of the Environment, Community and Local Government;
- Failte Ireland;
- The Heritage Council;
- An Taisce;
- Office of Public Works;
- Environmental Protection Agency;
- Health and Safety Authority;
- Inland Fisheries Ireland;
- Marine Institute;
Bord Iascaigh Mhara;
Health Service Executive;
Teagasc;
An Chomhairle Ealaíon; and
Geological Survey of Ireland

The public consultation process, including consultation with the prescribed bodies with respect to the section 40 Consent to Operate Application commenced on 25 August 2015 and concluded on 25 September 2015.

13 submissions were received in respect of the Section 40 Consent to Operate Application:

• By way of letter dated 25 September 2015, DAHG made a submission in relation to the Application.
• By way of letter dated 22 September 2015, the Environmental Protection Agency made a submission in relation to the Application.
• By way of letter dated 7 September 2015, the Principal Environmental Health Officer of the HSA confirmed that there is no further comment to be made on the Application.
• By way of letter dated 22 September 2015, An Taisce made a submission in relation to the Application.
• By way of letter dated 1 September 2015, Darragh Keenaghan made a submission in relation to the Application.
• By way of letter dated 19 September 2015, Gerry Bourke and Betty Schult, which letter also contained a list of signatories of 51 local residents made a submission in relation to the Application.
• By way of letter dated 25 September 2015, Shell to Sea made a submission in relation to the Application.
• By way of letter 2 September 2015, Shirley M. Oldroyd and John Oldroyd both made separate submissions in relation to the Application.
• By way of letter dated 8 September 2015, Monica Muller made a submission in relation to the Application.
• By way of e-mail correspondence dated 25 September 2015, Maura Harrington made a submission in relation to the Application.
• On 25 September 2015, Martin Harrington made a submission to the Minister in relation to the Application.
• On 24 September 2015, Peter Sweetman made a submission in relation to the application.

It should be noted that Ramboll Environ’s recommendations and my recommendations are made having regard to all objections and representations made and that care was taken by
Ramboll Environ when appropriate to ensure that regard was had to all submissions and observations and concerns with respect to the operation of the pipeline either by the applicant in the application documents for the proposed project, and/or the EIS and/or the AA Screening Statement or, where this was not the case and when appropriate, in recommendations for conditions to be attached to this consent, if it is granted. The matters identified in the each of the 13 submissions have been carefully reviewed, evaluated and considered in detail by me. In addition, the submissions were given to Ramboll Environ for its careful review, evaluation and consideration in preparing their assessments and recommendations, so that they could take them into account and address any issues raised in relation to the impact of the operation of the Pipeline on the environment, European sites and protected habitats for which sites were designated.

A summary of the issues raised in each submission is set out below, along with comments on same broadly illustrating how each submission has been addressed. A fuller indication of how they have been taken into account is evident in the EIA and AA screening documents prepared by Ramboll Environ and in the recommendations for conditions which they and I make.

The Minister should note that this summary of the submissions is not intended to replace the full text of the relevant submissions, and a copy of each submission and any attachments thereto (including hard copies of any webpage links) can be found at Appendix K and M hereto.

(a) Department of Arts, Heritage and the Gaeltacht

By way of letter dated 25 September 2015, DAHG made a submission in relation to the Application.

The DAHG stated that “the operation is unlikely to have a negative interaction with marine habitats within Natura 2000 nature conservation sites due to the presence of already existing infrastructure and the nature of operations proposed”. As previously noted, the appropriate legal test for AA Screening is whether the operation of the Pipeline alone or in combination with other plans and projects is likely to have a significant effect on the relevant European sites, having regard to the site conservation objectives for those sites, in particular any positive restoration obligations. The DCENR wrote to the DAHG on 3 December 2015 seeking clarification in respect of their submission, and querying whether their statement means that in their opinion the operation of the pipeline alone or in combination with other plans and projects is unlikely to have significant effects on the Natura 2000 nature conservations sites, and the marine habitats therein due to the presence of the already existing infrastructure and the nature of operations proposed.

By way of correspondence dated 3 December 2015, the DAHG confirmed that the salient point set out in its observations of 25 September 2015, which it wished to make is that the operation of the pipeline is unlikely to have a negative interaction with marine habitats within Natura 2000 nature conservation sites.

Recommendation: None.

The DAHG also noted that any further geophysical studies or similar operations that are not currently completed must comply, where relevant, with “Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters”. This submission was considered by Ramboll Environ in its reports and Ramboll Environ has recommended a draft condition to address it (Draft Condition Number 16).
**Recommendation:** I recommend adopting the proposed Draft Condition Number 16 to take into account the DAHG’s observations and as recommended by Ramboll Environ.

(b) **Environmental Protection Agency**

By way of letter dated 22 September 2015, the EPA made a submission in relation to the Application.

In summary, the submission made the following points:

The EPA’s assessment of IE Licence Application PO738-03 has not yet concluded.

It is anticipated that it will conclude on or about 10 October 2015 and the EPA will furnish the Minister with its assessment thereafter.

In the interim period, the Proposed Determination, the Inspector’s Report and all supporting documentation can be viewed on the EPA’s website.

The IE Licence issued on 8 October 2015, after the EPA’s submission was made to the Minister. The contents of the IE Licence, along with the relevant Inspector’s Reports and Technical Committee (“TC”) Reports have been considered by Ramboll Environ. EPA licences must ensure compliance with the Industrial Emissions Directive (such as the operation of a gas refinery and combustion of fuel in installations with a total thermal input of 50 MW or more) by ensuring that the projects under consideration do not have significant effects on the Environment. EU BAT conclusions under Directive 2010/75/EC have been made for the refining of mineral oil and gas and the EPA Technical Committee concluded that the applicant for the IED licence had demonstrated that the installation will comply with the BAT conclusions requirements in Commission Implementing Decision 2014/738/EU under Directive 2010/75/EU on industrial emissions for the refining of mineral oil and gas and will comply with all of the applicable BAT conclusions contained in the additional BREF documents. An application for judicial review of the decision to grant the IE Licence is currently pending before the High Court. The existing EPA IE Licence remains valid unless quashed.

**Conditions** in any IE Licence are relevant, *inter alia*, to preventing or controlling emissions (including GHGs other than carbon dioxide), from the terminal and for ensuring the integrity and safety of the pipeline and would provide an additional means of ensuring that this is achieved.

(c) **Health Service Executive, Environmental Health Service**

By way of letter dated 7 September 2015, the Principal Environmental Health Officer confirmed that there is no further comment to be made on the Application.

The contents of this submission have been considered, and are noted.

**Recommendation:** None.

(d) **Mr. Darragh Keenaghan**

By way of letter dated 1 September 2015, Mr Darragh Keenaghan made a submission in relation to the Application.

Mr Keenaghan’s submission stated that:
"The Environmental Impact Statement for the onshore pipe concluded the onshore pipeline 'will not have a significant residual impact on the human, natural, or cultural heritage of the area in the long term'. This is untrue.

... 

Once individuals feel betrayed by the authorities and their legal system, saddened for the environment, and powerless, then you have a situation that does do significant residual harm to the human and cultural heritage of the area for years to come. Not to mention the risks to the natural environment.

An Bord Pleanala originally decided that the route of the pipe was unacceptable, and then despite great opposition, granted Shell permission to build the pipeline. This anomalous decision has resulted in the infrastructure being completed.

Most recently, the documents submitted with Shell Ireland's application to operate are written by professionals in their field and they will say all the right things. I urge you to look at the issue from a moral standpoint.

I strongly urge you on moral grounds not to grant permission to operate."

No information has been provided to illustrate why Mr Keenaghan considers that the onshore pipeline will have a significant residual impact on the human, natural, or cultural heritage of the area in the long term so it was not possible to have regard to and address this concern with the specificity that is desirable.

In respect of Mr Keenaghan's point as to the quality of the EIS, Ramboll Environ has prepared an EIA Report and an AA Screening Report in respect of the operation of the Pipeline, and has concluded that, having regard to the best scientific knowledge, that the operation of the Pipeline, either alone or in combination with other plans and projects, is not likely to have a significant effect on the environment, or on any relevant European sites in view of their conservation objectives, having regard to the interaction between the current Pipeline, other parts of the Pipeline to which it is connected and any other plans or projects. No information was provided by Mr Keenaghan as to why he considers the information in the EIS was misleading.

In respect of Mr Keenaghan's comments on the decision of An Bord Pleanala to grant planning permission for the pipeline, the statutory time limit within which that decision may be challenged has expired. The decision of An Bord Pleanala, and it's Inspector's Report, insofar as same relate to the operation of the Pipeline, have been taken account of by Ramboll Environ in assisting the Minister in preparing its AA Screening Report.

Finally, in respect of the credentials of the consultants engaged by SEPIL, it should be noted that the Minister's consultants engaged to assist the Minister with assessing the submissions made in respect of the Application were independent and expert consultants from outside the country, transparently engaged by DCENR by way of public tender, and whose credentials are given in the EIA Report prepared for the Minister.

Recommendation: None

(c) An Taisce

An Taisce made submissions regarding the following:
(i) a legal query to DCENR to request a preliminary determination as to how the section 40 Application complies with the requirements of the EIA Directive to assess and mitigate the direct and indirect impact of the project namely the ongoing supply of untreated carbon sink subsea gas from the upstream pipeline to a terminal for distribution of gas for combustion and consequent release of gas to the atmosphere;

(ii) a legal query to DCENR to request a preliminary determination as to how the section 40 application complies with Case 50/09 on the making of integrated consents EIA in the determination of project consents with multiple licensing jurisdictions;

(iii) the status of the applicants as a fit and appropriate entity to hold a licence for gas transmission in view of changed circumstances;

(iv) the question of the integration of multiple consents;

(v) inadequacy of assessment of the EIS;

(vi) climate change impacts;

(vii) requirement for review of the impact of the operation with regard to changes of circumstances since original licence or project consent granted;

(viii) how the proposal integrates with the Carbon Budget.

It should be noted by the Minister that An Taisce instituted judicial review proceedings in respect of the previous Minister's decision to grant the consent to construct the upstream pipeline and the revised POD, respectively in 2011. An Taisce withdrew its proceedings, which were struck out, and the statutory time limit within which those decisions may be challenged has expired.

We are advised the Minister has no jurisdiction to request preliminary determinations as it is unlikely that he could be considered a court or tribunal in EU law.

It is difficult to understand An Taisce's complaint in respect of the fact the Minister is undertaking an EIA in respect of the operation of the Pipeline. The fact that the Minister is carrying out an EIA of the operation of the Pipeline is supportive of the EIA Directive. Ramboll Environ in its report entitled 'Corrib Gas Pipeline Construction Consent Conditions Compliance Monitoring: Closing Report' has concluded that: "...the Corrib Gas Pipeline has been constructed in material compliance with all applicable conditions attached to the consent to construct the Corrib gas pipeline issued by the Department of Communications, Energy and Natural Resources on the 25th February 2011 under Section 40 of the Gas Act 1976 (as amended)" and Ramboll Environ has separately confirmed in its EIA Report that it has also assessed the post construction monitoring and surveys presented in the Application and concludes that it does not identify any significant effects on any European Sites.

Ramboll Environ concluded "Overall, the Cumulative Impact Update Report indicates that the operation of the CNGP will not result in any significant cumulative effects when considered as part of the wider Corrib Gas Field Development (and Mayo to Galway Pipeline) and with Oweninny Wind Farm. An examination, analysis and evaluation of these impacts draws us to the same conclusion" and "From this assessment we conclude that during operations there are no likely significant in combination effects resulting from the interaction of the CNGP and the BBGT." With
In respect to European sites, Ramboll Environ concludes in its AA Screening Report “An examination, analysis and evaluation of these impacts draws us to the same conclusion as the NISS and as such we do not consider there to be any likely significant effects on any European sites in combination with other proposed plans or projects.”

In respect of the substance of An Taisce’s objection, paragraphs (i) (v) (vi) and (vii) are considered below. Paragraphs (ii)(iii)(iv) have been addressed above in response to other submissions and/or below.

The section 40 consents are part of the Irish scheme for regulating the environmental impacts of the Pipeline. The EIA Directive and EU Guidance on it expressly allows that Member States may have more than one consent authority, and also allows for a staged decision-making (See Case C-50/09). Changes in circumstances since the application for consent to construct was submitted have been specifically documented in the Cumulative Impact Update Report (July 2015), which was taken into account by Ramboll Environ in preparing its EIA Report and its AA Screening Report. Consequently Ramboll Environ has taken account of changes in circumstances (including all new environmental designations, new developments which could affect the Pipeline and vice versa etc.) that have happened, in the Ramboll Environ EIA Report and AA Screening Report. For information, note also that the EIA was carried out by the EPA in 2015, to which Ramboll Environ had regard, required a baseline report on the state of the environment at the time the application for the IE Licence was made in 2014.

Ramboll Environ noted that the GHG emissions from the Gas Terminal (except carbon dioxide) are regulated in the EPA’s IE Licence to which Ramboll Environ had regard in its assessments. Combustion and flaring emissions make up the majority of the gas refinery’s GHG emissions. Emissions standards have been imposed by the EPA in existing licences with respect to all emissions except carbon dioxide from the terminal. For carbon dioxide, the installation has a Green House Gas (GHG) Permit (No. IE-GHG161-01) from the EPA in accordance with the European Communities (Greenhouse Gas Emissions Trading) Regulations 2004, as amended (S.I. No. 437 of 2004, and amendments). The category of activity regulated under the GHG Regulations is ‘combustion installations with a rated thermal input exceeding 20 MW (except hazardous or municipal waste installations).’ The permit regulates emissions of carbon dioxide.

As an installation which will be operating within the EU Emissions Trading Scheme, Ramboll Environ noted that the gas refinery will be subject to statutory monitoring and reporting of carbon dioxide emissions from combustion and flaring sources according to a monitoring and reporting plan under the gas refinery’s GHG permit.

Ramboll Environ concluded in its assessment of the Application of the Consent to Operate that “GHG emissions from the operation of the CNGP are minor in terms of both direct emissions and indirect emissions associated with transport (e.g. for maintenance activities) and generation of power supply to the CNGP” and that “Downstream GHG emissions were considered in the Application as part of the cumulative GHG evaluation with respect to operation of the BBGT” and that “based on examination, analysis and evaluation” they “consider it unlikely that significant effects would occur in this respect”. It stated that the Application also identifies the potential for the overall Corrib Gas Field Development to contribute to a net reduction in national GHG emissions from power generation if placed in the context of a national energy policy to reduce usage of solid fuel and oil in the electricity generation fuel mix. Current energy policy would enable gas from the Corrib Gas
Field Development to replace imported gas and this would result in a neutral impact on Irish GHG emissions.

Separately, Ramboll Environ noted that the issue of the indirect effect of greenhouse gas emissions and climate change of the Corrib Gas Field Development in the wider national/global context has been considered by the EPA for the IE Licence in making its decision on the IE Licence in 2015. The Technical Committee of the EPA whose assessment of the environmental impacts of emissions from the BBGT when they were assessing objections to the IE Licence dealt with very similar submissions from An Taisce concerning climate change. They concluded:

"The TC are satisfied that:

- climate change issues, including mitigation measures, are the subject of specific policies and strategies as set out in relevant Government documentation, including the National Climate Change Strategy, 2007-2012;

- the measures to be taken at activity level are cognisant of and complimentary to the measures outlined in national policy aimed at reducing emissions as part of a comprehensive strategy to tackle emissions from all sources.

Accordingly, the TC notes that climate change is a global issue that is dealt with under specific legislation at EU and national level. The ultimate burning of the gas by consumers will be regulated in accordance with this legislation. Consequently, the TC considers that the activity will be carried on within the appropriate legislative framework. It is noted that the legislative regime for achieving carbon emission reductions requires production of gas for the time being, and the proposed activity is in accordance with legislation and government policy.

Consequently, ... [the TC] is satisfied that the direct and indirect effects of the activity on the Environment have now been assessed in accordance with the requirements of the EIA Directive”.

It should be noted that the EIA required by law is an EIA for the operation of the Pipeline. Taking all of the above into account, the wider issues on greenhouse gas emissions related to climate change were not assessed in the context of an application for permission for a project (as distinct, for example, from plans and policies). Having regard to the Ramboll Environ conclusions on the insignificance of GHG emissions from the operation of the BBGT and Pipeline, and having regard to the fact that all GHG emissions from the Pipeline the subject of this Application (if permitted) will be regulated, to the measures to ensure the integrity of the Pipeline, to measures to prevent risks therefrom and to the fact that carbon dioxide emissions are regulated by a GHG Permit (No. 1E-GHG161-01) from the EPA in accordance with the European Communities (Greenhouse Gas Emissions Trading) Regulations 2004, and to other measures adopted by the State to mitigate GHGs, no further consideration of climate change is considered necessary. After commenting on the EPA Technical Committee report, Ramboll Environ states “Taking the above into account, we conclude that no additional consideration of climate change impacts from the ultimate combustion by consumers of the gas carried through the CNGP is required in the Application to meet the requirements of Article 3 of the EIA Directive in that regard.” Moreover, with regard to the operation of the Corrib Gas Pipeline, it should also be noted that Ramboll Environ has stated in its EIA Report “We understand that
the current energy policy would enable gas from the Corrib Gas Field Development to replace imported gas and conclude that if this were to be the case then this would result in a neutral impact on Irish GHG emissions”

Mr. Peter Sweetman

By way of letter dated 24 September 2015, Mr. Sweetman made a submission in relation to the Application.

Mr Sweetman stated that: “The Minister has requested submissions on the Environmental Impact Assessment on the application under Section 40 of the Gas Act 1976 as amended.

CJEU case 50/09 states: “development consent” means: The decision of the competent authority or authorities which entitles the developer to proceed with the project.

The legal submissions by the State in Case 2011/412JR state;

17. The Minister carried out an environmental impact assessment (“EIA”) in respect of the Section 13 consent and the Section 40 consent and all allegations to the effect that same was not carried out adequately or at all are denied as if same were set out individually and denied seriatim.

19. Without prejudice to the foregoing, it is denied that the Minister acted contrary to the principles of European law and the principles set out in Case C-50/09 Commission v. Ireland as alleged at paragraph 25 or at all.”

Ciaran O hObáin states in email to me 24/09/2015;

You enquire as to “which decision of Ireland is the decision to proceed with the project.”

The Corrib Gas Field Development including pipeline is subject to a number of statutory consents with the principal consents, all of which are required for the project and pipeline to proceed, listed below:

A Petroleum Lease granted by the Minister for Communications, Energy and Natural Resources on 15 November, 2001.................................................................

In addition to the statutory consents listed above, before the Corrib Gas Field can be brought into commercial operation, the Minister for Communications, Energy and Natural Resources must also be satisfied that there is compliance with the Conditions Precedent of the Corrib Petroleum Lease.”

Mr Sweetman concludes by stating that “The State made a false submission to the High Court in Case 2011/412JR and the development of the Corrib Gas project was without a consent to proceed.

The development of the Corrib Gas project before all parts of the Environmental Impact Assessment are in place is in contravention of CJEU Case C 216/04.”

This representation refers to a previous consent to construct the pipeline which was given in 2011. An EIA of the application for the construction of the Pipeline was carried out before that consent was granted.
It should be noted by the Minister that Mr Sweetman instituted judicial review proceedings in respect of the previous Minister's decision to grant the consent to construct the upstream pipeline and the revised POD, respectively in 2011. Mr Sweetman withdrew his proceedings, which were struck out, and the statutory time limit within which those decisions may be challenged has expired.

It is difficult to understand Mr Sweetman's complaint in respect of the fact the Minister is undertaking an EIA in respect of the operation of the Pipeline. The fact that the Minister is carrying out an EIA of the operation of the Pipeline is supportive of the EIA Directive. Ramboll Environ in its report entitled 'Corrib Gas Pipeline Construction Consent Conditions Compliance Monitoring: Closing Report' has concluded that: "...the Corrib Gas Pipeline has been constructed in material compliance with all applicable conditions attached to the consent to construct the Corrib gas pipeline issued by the Department of Communications, Energy and Natural Resources on the 25th February 2011 under Section 40 of the Gas Act 1976 (as amended)" and Ramboll Environ has separately confirmed in its EIA Report that it has also assessed the post construction monitoring and surveys presented in the Application and concludes that it does not identify any significant effects on any European Sites.

Ramboll Environ concluded "Overall, the Cumulative Impact Update Report indicates that the operation of the CNGP will not result in any significant cumulative effects when considered as part of the wider Corrib Gas Field Development (and Mayo to Galway Pipeline) and with Oweninny Wind Farm. An examination, analysis and evaluation of these impacts draws us to the same conclusion" and "From this assessment we conclude that during operations there are no likely significant in combination effects resulting from the interaction of the CNGP and the BBGT." With respect to European sites, Ramboll Environ concludes in its AA Screening Report "An examination, analysis and evaluation of these impacts draws us to the same conclusion as the NISS and as such we do not consider there to be any likely significant effects on any European sites in combination with other proposed plans or projects."

There is no elaboration by Mr Sweetman as to why he considers that the development of the current project "before all parts of the EIA are in place" is a contravention of EU law. Ramboll Environ has assessed all direct and indirect effects and interactions of the proposed project in its reports.

It is noted that Mr Sweetman's submission does not relate to any specific likely environmental impacts or impacts on European sites of the proposed operation of the Pipeline. The interactions between the offshore pipeline, the onshore pipeline and the Mayo-Galway pipeline have been assessed by Ramboll Environ in its EIA Report and its AA Screening Report, both alone and in combination with other plans and projects, Ramboll Environ has stated that it has "assessed the impacts upon relevant European sites and protected species from the proposed operation of the CNGP and concludes that, in light of the best scientific knowledge and the conservation objectives of the European Sites, the operation of the CNGP either alone or in combination with other plans or projects (see also section 4.9):

- would not result in any likely significant effects on European Sites;
- would not result in likely significant disturbance of species; and
- would not result in likely significant deterioration of habitats."
In the EIA Report it states:

"From this assessment we conclude that during operations there are no likely significant environmental effects (including no likely significant effects on European sites, no likely significant disturbance of species, and no likely significant deterioration of habitats) resulting from the interaction of the CNGP and the Mayo to Galway gas pipeline."

Ramboll Environ EIA Report and AA Screening Report state that the effects from the operation of the Pipeline are:

- emissions from the venting of nitrogen at the gas terminal;
- discharge of treated produced waters from the gas terminal through the service umbilicals and the outfall;
- the effects of accidents and leaks from the pipeline;
- the consequences of any repairs and maintenance activities.

The Minister should note that Environ has considered the following consents: the IE Licence and the consent to construct and the CER Production Safety Permit. They are also assessed for likely effects below:

**Nitrogen Venting**

Ramboll Environ in its EIA Report has noted (Table 5) that the release of nitrogen to the atmosphere during commissioning will be from the BBGT, rather than the onshore Pipeline itself. Its assessment was that the release of nitrogen will not lead to any significant environmental effects and relevant conditions to control flaring/venting are attached to the EPA IE Licence (such licences must ensure that no emission causes significant environmental pollution). Ramboll Environ also noted that relevant conditions to control noise are attached to the IE licence.

The Ramboll Environ AA Screening Report also assessed flaring and confirms that emissions from the flaring system have also been assessed as part of the IE Licence application process. Ramboll Environ notes that nitrogen is not considered an air quality pollutant and therefore there are no significant impacts on air quality from its release to atmosphere. Noise emissions associated with the unlit flare discharge through the flaring system at the BBGT will be significantly lower than those associated with lit flaring scenarios and they concluded that this will not result in significant off site noise impacts. Noise impacts associated with the flaring system at the BBGT have been considered in the EPA Inspector’s report that concluded that “Noise levels generated during planned maintenance... [with discharges] without a lit flare are modest” and further that “the operation of the activities in accordance with the [recommended determination] will not cause environmental pollution, while any accidental emission will not have a significant effect on the environment”.

Conditions relating to the control of noise at the BBGT are imposed in the IE Licence, which is an appropriate statutory consent for doing this. It is also concluded in the Inspector’s report to the EPA, which included an AA of the likely significant effects of the proposed activities on European sites, that “based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 and 2013, pursuant to Article 6(3) of the Habitats Directive, that the proposed activities [which include flaring and discharge of treated waste water], individually or in combination with other plans or projects,
will not adversely affect the integrity of any of the European Site(s) specified in Table 4 above, having regard to their conservation objectives and will not affect the preservation of these sites at favourable conservation status if carried out in accordance with this Licence and the conditions attached hereto”.

Discharge of waste waters

The environmental impact of the wastewater discharge has also been assessed by, Ramboll Environ in its EIA Report attached hereto which has determined that the discharge from BBGT through the service umbilicals are regulated by the IE licence granted by the EPA (which is prohibited by law from granting permission for any emission which could cause significant environmental pollution). This discharge cannot take place except under and in accordance with a licence to discharge such wastewater. Compliance with the IE licence is required to ensure that there is no likely significant environmental impact from the discharge of wastewater.

Accidents and leaks and repairs and maintenance activities

The EPA Technical Committee, in assessing the application for the IE Licence, has concluded that accidents and leaks are “unlikely” to occur or to have significant effects on the environment or on any European sites in view of their conservation objectives.

The Inspector’s Report to the EPA on the IE Licence also stated “I am satisfied based on the design of the pipelines and the gas refinery, there are sufficient controls in place to prevent a negative impact on the flora and fauna and in the unlikely event of an emergency accident the mitigation measures in place will minimise the consequences on the flora and fauna. Accordingly, the operation of the activities in accordance with the RD will not cause Environmental pollution, while any accidental emission will not have a significant effect on the Environment”.

Ramboll Environ has also assessed the likely significant effects on the environment, European sites and protected species of accidents and incidents and concluded likewise in its EIA Report and AA Screening Report prepared in respect of this Application, which have, inter alia, examined the IE Licence and its conditions relating to accidents and incidents.

Due regard was given to Mr Sweetman’s apparent concerns in assessing the environmental impact of the operation of the entire Pipeline alone and in combination with other plans and projects by Ramboll Environ in its EIA Report and AA Screening Report. Regard was also had to other statutory consents granted for projects considered likely to have significant effects on the environment or European sites and implications for the Pipeline.

The Minister was also consulted and participated as a statutory consultee in decision-making on the other environmental consents relevant to the Pipeline (e.g. the planning permission for the rerouting of the onshore portion of the upstream pipeline and the IE Licence) and has himself granted consents in respect of the construction of this pipeline which are also relevant to it which Ramboll Environ took into account in assessing the implications of the operation of the pipeline for the environment and European sites. Ramboll Environ has endeavoured to ensure that the assessment of the likely environmental effects of the Pipeline and its likely significant effects on European sites in view of their conservation objectives were properly assessed in its Reports, particularly having regard to the fact that multiple consent authorities were involved.
**Recommendation:** A condition is recommended to require the provision of an Annual Pipeline Report for every year of operation to provide against accidents and leaks and the any possible significant environmental consequences of maintenance and repairs activities. A further condition is recommended to require the preparation of management plans and procedures to bring together all relevant information contained in the Application, to ensure that all necessary environmental management controls are in place for the proper operation of the Pipeline in a manner necessary to ensure compliance with Irish and EU environmental law. (Draft conditions 4 and 5)

(g) Mr Gerry Bourke and Ms Betty Schult and Local Residents

By way of letter dated 19 September 2015, Mr Bourke and Ms Schult, which letter also contained a list of signatories of 51 local residents made a submission in relation to the Application.

Their submission made the following points:

"We trust that after considering all aspects of the situation you will agree that Shell must be refused your consent to operate the Corrib Gas Pipeline, the most improvised and vulnerable part of the Corrib Gas Project.

You will realise that a full review of the whole project is needed and that the company, Shell E&P Ireland must be stopped from further destroying the physical and social structure of Erris.

There was no need for this pipeline in the first place. The refinery has been constructed in the wrong location (Kevin Moore, Bord Pleanala Inspector) creating a scenario where the operator wants to transport raw gas through the heart of a community and through a protected, and until then pristine Environment.

When Shell describes the impact of their activities the words ‘not significant’ appear all the time. That is presumptuous and incorrect.

It is significant that parts of the pipeline infrastructure already fail before they are even operational.

While Shell urges you to process their application quickly, citing an ‘advanced state of readiness’, we witness desperate efforts being made all summer long to hold the pipeline in place in Broadhaven Bay by dumping huge amounts of material onto it.

It is significant that Environmental standards seem to change as soon as the CorrGas project is concerned.

The beach at the landfall site at Glengad has been completely altered, particularly the causeway to the LVI. Sinkholes appeared in Sruwaddacon Bay, and nesting and spawning sites have been destroyed.

It’s significant that despite all the twisting and tweaking of the pipeline route, it remains exposed and unprotected from the tunnel. Travelling daily on the public road we have to cross a section of the pipeline transporting the odourless raw gas to the refinery. The most dangerous and critical section of this high pressure pipeline at the LVI, that is situated close to houses, locates the residents in the kill zone as established at the Bord Pleanala oral hearing in 2009.

The area has been affected by landslides and an earthquake. Those are natural occurrences that can happen again at any time."
It's unacceptable that there's still no reliable source of information for anyone in the community.

Many of the residents, including the Rossport Five, were jailed and thereby wilfully denied the protections of the Aarhus Convention as ratified by the EU. A full review of the whole project is needed."

All representations made particularly the concerns expressed by local residents were considered by Ramboll Environ. The use of the word "significant" by parties involved with the Corrib development and Ramboll Environ and in environmental reports is a term of art.

The issue concerning part of the Pipeline infrastructure which was found floating in Broadhaven Bay has been addressed by the Department which has reported on it on their website (this is also discussed at Section 13 above). Note also relating to this that the EPA and its Technical Committee reported to the Board of the EPA in September 2015 that it is "satisfied that the EPA is closely monitoring the situation to confirm that it is closed out to compliance with the requirements of the IE Licence 0738-01 and to prevent any recurrence". Environmental standards do change from time to time because this is required by new legislation or by regulatory authorities. No evidence has been provided relating to unauthorised alteration of the landfill site or destruction of nesting or spawning sites or landslides or earthquakes. Any such evidence should be presented to the NPWS or appropriate regulatory authority for enforcement action. Risks to the environment relating to the Pipeline are assessed in the Ramboll Environ Reports and are considered not likely to have significant effects on the environment or on any European site.

**Recommendation:** In order, *inter alia*, to reassure residents and taking their representations into account, I recommend that the following conditions recommended by Ramboll Environ consequent on their assessment of the potential environmental effects of risks and accidents be attached to any consent given:

- that an annual pipeline report be provided to the Minister (Draft Conditions 4 and 5),
- that the Geotechnical Risk Register be updated to reflect as built conditions and periodically updated thereafter as agreed (Draft Condition 7),
- that the Corrib Gas Partners monitor pipeline stream crossings and slab locations to ensure appropriate management of erosion pertinent to Environmental issues through the operation of the gas pipeline (Draft Condition 8)
- that noise be monitored during maintenance of the LVI (Draft Condition 10) and
- that a public grievance procedure be established within three months of the consent to operate if it is granted (Draft Condition 12).

(h) **Shell to Sea**

By way of letter dated 25 September 2015, Shell to Sea made a submission in relation to the Application.

In summary, Shell to Sea's submission made the following points:
"Shell E&P Ireland is not a fit and proper person to apply for consent to operate a gas refinery which summers from terminal ‘Space Shuttle syndrome’.”

"One of the main problems with the project is the threat it poses to the local population. At a planning hearing into the onshore pipeline route in 2009, Shell consultants admitted that, in the event of a leak: ‘houses within 230 metres of the pipeline could burn spontaneously from heat radiation’.

“The HSA has referred the death of Lars Wagner RIP to the Office of the DPP and until such time as that issue is resolved you do not have the right to consider Shell’s application for a licence to operate a refinery and plunder our resources.”

"Remember the words from 1987 of the then leader of the Labour Party, Dick Spring who spoke on the introduction of the terms under which Corrib Gas will be (non) taxed: ‘We will now, as a result of the changes this Government have made, get absolutely no return whatever from the development of any foreseeable oil find… in their cold-blooded decision to give those resources away, Fianna Fail have committed what I have already described as an act of economic treason, one for which I believe they should not be forgiven by the young people and by the people at large.”

“A 2013 paper published in the Climactic Change Journal accused Shell of causing 2.12% of total manmade carbon emissions”.

Twelve links to various sources are included at the bottom of this submission and these have been printed out and included in the bundle of submissions attached to Appendix M hereto.

**Fit and proper persons**

A Minister has no express legislative power under the Gas Acts to deal with the question of whether or not the applicant is a “fit and proper person.” However, a Minister may have an implicit entitlement to consider this question in determining whether or not to grant a Consent to Operate.

SEPIL has demonstrated to the DCENR its technical competence in respect of the proposals it has made for delivery of the overall Corrib Natural Gas Project, and its delivery on these proposals to date. Having considered the Ramboll Environ Report confirming that the Pipeline was constructed by SEPIL in material compliance with the conditions attached to the consents to construct granted by the Minister and the financial provision made under the Petroleum Lease, it appears that SEPIL remains a fit and proper person and is a fit and proper person to operate the Pipeline. I recommend that the Minister can be satisfied that he can reach this conclusion.

In addition, it is noted that the CER, which is the competent authority for petroleum safety, in issuing a revised Production Safety Permit on 11 June 2015 was of the opinion that SEPIL is capable of implementing the safety management system described in the safety cases and it approved the safety cases, subject to conditions. Separately, the EPA was also of the opinion in granting the IE Licence on 8 October 2015 that SEPIL is a fit and proper person for its purposes.

Risks to human beings from the operation of the Pipeline have been assessed by Ramboll Environ in its EIA Report which also refers to other risk assessments by statutory authorities.
Concerns about climate change and carbon emissions are addressed in the response to this and An Taisce's submission above. A number of links to various sources were included in the submission and a summary of these is set out below:


This news article concerns the allegation that two former suppliers to the Corrib Gas Pipeline supplied alcohol to Gardaí.

The head line is “Shell asked for £25,000 worth of alcohol to be delivered to Gardaí in Mayo, court told”.

(ii)  http://www.shelltosea.com/content/shell-asked-named-inspector-not-hear-appeal

This is a link to an article on the Shell to Sea website in relation to a request made by Shell to An Bord Pleanála, asking the Board not to assign one of its inspectors (Kevin Moore) to the Corrib gas refinery appeal.

(iii)  https://www.kildarestreet.com/debate/?id=2010-02-03.743.0

An extract from a speech by Michael D Higgins in relation to Rossport accusing the politicians involved of having contaminated the process and stating that the Birds Directive has been broken.

(iv)  http://www.youtube.com/watch?v=Jgpsy_PB6yU

This is a video of a Shell to Sea protest that Michael D Higgins joined, including a speech by Michael D Higgins outside the refinery gates.

(v)  http://www.shelltosea.com/content/gas-explosion-fears-raised-hearing

This is a Shell to Sea Article which alleges that SEPIL consultants have conceded that safe shelter in the event of a rupture and explosion has not yet been identified for residents living close to the proposed Pipeline.

The article also states that consultants told the An Bord Pleanála oral hearing in north Mayo that houses within 230 metres of the Pipeline could “burn spontaneously” from heat radiation if gas in the pipe was at full pressure. The article outlines certain questions asked at the oral hearing.

(vi)  http://www.shelltosea.com/content/community-letter-shell

A letter sent from Shell to Sea to Mark Carrigy, SEPI. The letter alleges that SEPI and/or agents acting on its behalf have been directly responsible for and/or suspected of a number of offences including harassment, trespass, and illegal construction of the pipeline. The alleged offences committed by SEPI are listed in a bullet point format and no supporting evidence is provided by Shell to Sea.

This is an Irish Times article stating that the death of Lars Wagner is being referred to the DPP.

(viii) http://www.shelltosea.com/content/just-how-bad-irelands-oil-gas-deal

A 2008 study of forty five international fiscal systems by petroleum consultant Daniel Johnston which allegedly shows that Ireland has the lowest returns from its gas and oil of all the countries studied.

(ix) http://www.youtube.com/watch?v=q81EiUnAsbo

A video of Former minister Justin Keating discussing the State’s position, past and present, on Oil & Gas licensing.

(x) http://theguardian.com/environment/2013/nov/20/90-companies-man-made-global-warming-emissions-climate-change

A guardian article with the head line “Just 90 companies caused two-thirds of man-made global warming emissions”. This list of 90 companies is stated to include “Royal Dutch Shell”.

(xi) http://www.thenation.com/article/people-will-remember-shell-oil-as-a-symbol-of-planet-destroying-greed

An article in The Nation with the head line “People Will Remember Shell Oil As a Symbol of Planet-Destroying Greed” which discusses Shell’s plans to drill in the Arctic.


An RTE report stating that the Minister for Communications, Energy and Natural Resources (Alex White) said that the issue of climate change is a matter of “life and death” for people around the world. There is nothing specific to Shell in this report.

These have been interrogated and no further relevant point which is not addressed herein or in the EIA Report and AA Screening arises from them. Ramboll Environ has confirmed that the concerns expressed have been met where required or appropriate by previous statutory authorisations including the IE licence and GHG permit, in the Application and in the reports prepared by Ramboll Environ.

**Recommendation:** No further action required.

(i) **Ms. Shirley M. Oldroyd**

By way of letter dated 2 September 2015, Ms Oldroyd made a submission in relation to the Application.

The contents of this submission are identical to contents of the submission made by Mr Keenaghan, which is set out above.

**Recommendation:** I repeat the recommendations set out in relation to Mr Keenaghan.
(j) Mr. John Oldroyd

By way of letter dated 2 September 2015, Mr Oldroyd made a submission in relation to the Application.

The contents of this submission are identical to contents of the submission made by Mr Keenaghan, which is set out above.

Recommendaion: I repeat the recommendations set out in relation to Darragh Keenaghan.

(k) Ms Monica Muller

By way of letter dated 8 September 2015, Ms Muller made a submission in relation to the Application.

In summary, Ms Muller’s submission made the following points:

The consent to construct and the Consent to Operate should not be split up. The Minister has violated the EIA Directive by permitting the construction without considering the operational impacts.

The Minister had not the required information of the potential impacts and therefore no EIA and AA could have been carried out in regard of the operation of the pipeline.

The Minister has permitted the Corrib Gas Project to proceed in a piece-meal fashion since 2002 when the then Minister granted the application for the construction of the Corrib Gas Pipeline, in breach of Directive 85 / 337 / EEC and Habitats Directive.

The Corrib Gas Project has proceeded in the absence of consent to operate the upstream gap pipeline, which is the subject of this application and subject to the provisions of the Habitats and EIA Directives.

Ireland has incorrectly implemented the EIA Directive by failing to provide for a single type of consent to proceed with the project.

The applicant has failed to submit the application to operate the gas pipeline in 2001, jointly and simultaneously with the application for construction.

The Minister has neither established, nor even alleged, that it is legally impossible for a developer to obtain a decision to construct where he has not applied for consent to operate.

Ms Muller cites Case C-50/09 and argues that there is a gap in Irish legislation that permits construction (consent to proceed) without assessment of the operational impacts. Ms Muller quotes the following paragraph from Case C-50/09:

“77 In those circumstances, while nothing precludes Ireland’s choice to entrust the attainment of that directive’s aims to two different authorities, namely planning authorities on the one hand and the Agency on the other, that is subject to those authorities’ respective powers and the rules governing their implementation ensuring that an Environmental impact assessment is carried out fully and in good time, that is to say before the giving of consent, within the meaning of that directive.”

Ms Muller stated that “ECJ case law” made reference to a consent procedure comprising several stages. Ms Muller argued, based on this unspecified case law, that
in a consent procedure comprising several stages involving a number of projects, as is Corrib Gas Development, the assessment (EIA) must be carried out as soon as it is possible to identify and assess all the effects which the project may have on the environment.

It should be noted by the Minister that Ms Muller instituted judicial review proceedings in respect of the previous Minister’s decision to grant the consent to construct the upstream pipeline and the revised POD, respectively in 2011. Ms Muller withdrew her proceedings, which were struck out, and the statutory time limit within which those decisions may be challenged has expired.

It is difficult to understand Ms Muller’s complaint in respect of the fact the Minister is undertaking an EIA in respect of the operation of the Pipeline. The fact that the Minister is carrying out an EIA of the operation of the Pipeline is supportive of the EIA Directive. Ramboll Environ in its report entitled ‘Corrib Gas Pipeline Construction Consent Conditions Compliance Monitoring: Closing Report’ has concluded that: “...the Corrib Gas Pipeline has been constructed in material compliance with all applicable conditions attached to the consent to construct the Corrib gas pipeline issued by the Department of Communications, Energy and Natural Resources on the 25th February 2011 under Section 40 of the Gas Act 1976 (as amended)” and Ramboll Environ has separately confirmed in its EIA Report that it has also assessed the post construction monitoring and surveys presented in the Application and concludes that it does not identify any significant effects on any European Sites.

Ramboll Environ concluded “Overall, the Cumulative Impact Update Report indicates that the operation of the CNGP will not result in any significant cumulative effects when considered as part of the wider Corrib Gas Field Development (and Mayo to Galway Pipeline) and with Oweninny Wind Farm. An examination, analysis and evaluation of these impacts draws us to the same conclusion” and “From this assessment we conclude that during operations there are no likely significant in combination effects resulting from the interaction of the CNGP and the BBGT.” With respect to European sites, Ramboll Environ concludes in its AA Screening Report “An examination, analysis and evaluation of these impacts draws us to the same conclusion as the NISS and as such we do not consider there to be any likely significant effects on any European sites in combination with other proposed plans or projects.”

There is no EU requirement for a single consent. See the EU Summary of Cases on EIA (European Document entitled Environmental Impact Assessment of Projects, Rulings of the Court of Justice) (2013) at p. 16 “It is apparent from settled case-law that an authorisation within the meaning of Directive 85/337 may be formed by the combination of several distinct decisions when the national procedure which allows the developer to be authorised to start works to complete his project includes several consecutive steps (see, to that effect, Case C-201/02 Wells [2004] ECR I-723, paragraph 52, and Case C-508/03 Commission v United Kingdom [2006] ECR I-3969, paragraph 102”). And also at page 17 “For the purposes of the freedom thus left to them to determine the competent authorities for giving development consent, for the purposes of that directive, the Member States may decide to entrust that task to several entities, as the Commission has moreover expressly accepted. (C-50/09, Commission v. Ireland, paragraphs 71-72)”.

Ramboll Environ was requested to ensure that any conditions attaching to the consent to construct and any Consent to Operate that might be granted are harmoniously addressed. The construction of the Pipeline has been carried out materially in
compliance with the consent to construct, as confirmed by Ramboll Environ. The CER issued a production safety permit in June 2015 in respect of the operational safety of the Corrib Gasfield project including the entire Pipeline and the planning permission for the relocation of the Pipeline required by the planning authority was implemented. Having regard to these matters, the Minister is now in a position to better consider if he will give a Consent to Operate the Pipeline.

No evidence has been given of non-compliance with national and international statutory requirements.

Ms Muller contends that no EIA and AA have been carried out in respect of the operation of the pipeline. Ramboll Environ has prepared an EIA Report and an AA Screening Report to assist the Minister in carrying out an EIA and an AA Screening and AA, if required, in respect of the operation of the entire pipeline.

**Recommendation:** Regard has been had to Ms Muller’s submissions and concerns above, in the EIA Report and AA Screening Report and in the conditions recommended to be attached to any consent the Minister might give.

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**Ms Maura Harrington**

By way of e-mail correspondence dated 25 September 2015, Ms Harrington made a submission in relation to the Application.

In summary, Ms Harrington’s submission made the following points:

- Ms Harrington has read the submissions of Mr Sweetman and Ms Muller and agrees with all therein noting in particular referral to case law.

- Ms Harrington also signed the online Shell to Sea petition.

- The applicant Shell E & P Ireland Limited being a wholly owned subsidiary of Royal Dutch Shell plc **is not a fit and proper person.**

- There are at least two health and safety issues outstanding – referral by the HSA of its findings following an investigation into the work related death of Lars Wagner RIP to the office of the DPP and H&S-related proceedings taken by Mr Granahan in the High Court which continue.

- Expenditure by the application and its partners to date is not germane to the Minister’s consideration of the application. Both the elected and permanent government personnel have become subverted over the past 15 years to the point.

- A decision in this matter by the Minister in favour of the applicant would not alone be contrary, but inimical to the common good.

- Ms Harrington associates herself with the submissions of Mr Sweetman, Ms Muller, and Shell to Sea whose submissions have been taken into account and addressed above.

The consideration of the issue of SEPIL being a fit and proper person has also been addressed above. It is not appropriate to comment on matters that are under investigation by other statutory authorities and *sub judice*. Ramboll Environ has confirmed that other concerns have been taken into account in the Application, in Ramboll Environ’s EIA Report and AA Screening Report, in the conditions
recommended to be attached to any consent the Minister might give, and above when
appropriate.

**Recommendation:** No specific recommendation as regard has been had to matters
raised by Ms Harrington above and in the EIA Report and AA Screening Report and
in the comments on the other submissions which Ms Harrington supports.

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**Mr Martin Harrington**

On 25 September 2015, Mr Harrington made a submission to the Minister in relation
to the Application.

In summary, Martin Harrington’s submission made the following point:

- The submissions of Mr Sweetman and Ms Muller are fully supported. Mr
  Harrington associates himself with the submissions of Mr Sweetman, Ms
  Muller, Shell to Sea which have been addressed above.

**Recommendation:** No specific recommendation as regard has been had to matters
raised by Mr Harrington above and in the EIA Report and AA Screening Report and
in the comments on the other submissions which Mr Harrington supports.

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15. **Proposed Draft Conditions**

In the event that the Minister decides to grant Consent to Operate, the Minister is entitled
pursuant to section 40B(6) of the Gas Act to attach such conditions to the grant as the
Minister considers necessary to avoid, reduce and, if possible, offset the major adverse effects
(if any) of the proposed operation of the Pipeline.

Ramboll Environ’s EIA Report recommends the attachment of conditions and draft conditions
are set out in paragraph 6.1.2 and Appendix 2 to the EIA report. Ramboll Environ’s AA
Screening Report recommends the attachment of conditions and draft conditions are set out in
Section 5 and Appendix 2. All of these draft conditions are attached at Appendix H hereto.

These conditions have been considered by the DCENR in consultation with Ramboll Environ.

It is important for the Minister to be aware of and consider Regulation 42(17)(b)(i) of the
Habitats Regulations which prohibits a public authority from granting any consent for a
project containing any conditions, restrictions or requirements purporting to permit the
deferral of the collection of information required for a screening for Appropriate Assessment
or the completion of a screening for Appropriate Assessment until after the consent has been
given.

Having carefully read and considered the draft conditions proposed, I am satisfied that the
conditions are appropriate for the operation of the Pipeline when considered in light of the
conclusions reached by Ramboll Environ. I recommend that the Minister can be satisfied that
that they can be incorporated in their entirety as the conditions to be attached to any Consent
to Operate, if the Minister is so minded to grant. As outlined above, the Minister is entitled to
adopt these conditions, but is not bound to do so, and should carefully consider and review
the conditions before making a decision to adopt, or refuse to adopt, some or all of the
conditions.

Separately, PAD TecSee has recommended the attachment of two conditions in its report at
Appendix F to this submission. As outlined above, the Minister is entitled to adopt these
conditions, but is not bound to do so, and should carefully consider and review the conditions
before making a decision to adopt, or refuse to adopt, either or both of the conditions.
recommended by PAD TecSec. As outlined above, the Minister is entitled to adopt these conditions, but is not bound to do so, and should carefully consider and review the conditions before making a decision to adopt, or refuse to adopt, some or all of the conditions.

16. **Reasoned Recommendation**

As set out in detail in the Ramboll Environ AA Screening Report and the EIA Report, the operation of the Pipeline in light of the best scientific knowledge either alone or in combination with other plans or projects:

- would not result in any likely significant effects on European Sites;
- would not result in likely significant disturbance of species; and
- would not result in likely significant deterioration of habitats,
- is not likely to give rise to significant environmental effects; and
- has no potential for significant transboundary effects on the grounds of there being no likely significant effects from operation of the Pipeline.

I consider that the Ramboll Environ EIA Report and AA Screening Report can be adopted as the Minister’s EIA and AA Screening in whole or in part or not at all.

I consider that the Minister is also entitled to adopt in whole or in part the DCENR’s PAD TecSec report on the engineering integrity of the Pipeline confirming in its opinion that the Pipeline system as built, is appropriate for ensuring maximised economic recovery of gas in accordance with the terms of the Petroleum Lease, and are to a design generally in accordance with the best national and international industry practice.

The Pipeline has a strategic benefit for Ireland in terms of strengthening Ireland’s energy security of supply and granting these consents will ensure a direct economic return from Ireland’s indigenous gas resources.

I am of the opinion that having regard to the above that the Minister is entitled to grant the Consent to Operate, should he be so minded so to do and it is recommended that the Minister agrees to grant Consent to Operate sought pursuant to section 40 of the Gas Act.

In the event that the Minister is minded to grant the Consent to Operate, a framework draft Decision can be found at Appendix O. This sets out the framework to ensure that the statutory obligations of the Minister in granting Consent to Operate are met.


O’Rahilly

Petroleum Affairs Division

23 December 2015
Appendices to the Submission to the Minister

Appendix A: Application of the Corrib Gas Partners dated 18 August 2015

Appendix B: A brief history of the Corrib Gas Project.

Appendix C: An assessment of the strategic benefit of the Project.

Appendix D: Overview of Consents granted by the Minister


Appendix F: Petroleum Affairs Division TecSec Engineering Integrity Assessment of Corrib Gas Pipeline design documentation

Appendix G: The Environmental Impact Assessment Report prepared for the Minister by Ramboll Environ dated 22 December 2015

Appendix H: Proposed Draft Conditions for operation and maintenance

Appendix I: Screening for Appropriate Assessment Report prepared for the Minister by Ramboll Environ dated 22 December 2015

Appendix J: All documents referred to and provided by the prescribed bodies for the purposes of the Minister’s appropriate assessment screening

Appendix K: Confirmation of notification provided to the DCENR by SEPIL that the relevant prescribed bodies have been consulted.

Appendix L: A copy of all submissions received in respect of the Application (including the exchange of correspondence with DoHG)

Appendix M: All documents submitted by DCENR to An Bord Pleanala as part of the consultation process into the application for planning consent for the modified pipeline route

Appendix N: All documents submitted by DCENR to the EPA as part of the consultation process into the application for an IE Licence

Appendix O: Draft Decision of the Minister.
