A Recommended Determination and Inspector’s Report (dated 23 March 2015) and an Inspector’s Addendum Report (dated 23 March 2015) were presented to the Board of the Agency on 24 March 2015 and a decision on the application was deferred. A second Addendum Inspector’s report (dated 27 March 2015) was presented to the Board of the Agency on 31 March 2015 and a decision on the application was deferred. This addendum report proposes further changes to the “Decision & Reasons for the Decision” for members of the Board of the Agency in relation to Shell E&P Ireland Limited, IE licence application (Licence Register P0738-03) and should be read in conjunction with my original Inspector’s report, dated 23 March 2015 and Inspector’s Addendum reports (dated 23 March 2015 and 27 March 2015).

Proposed changes to the Decision & Reason for the Decision of the licence

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any emissions from the licensed activities will comply with and will not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Acts 1992 as amended.

The Agency also considers that the activities will not adversely affect the integrity of any European site, and has decided to impose conditions for the purposes of ensuring they do not do so. It has determined that the activities, if managed, operated and controlled in accordance with the licence, will not have any adverse effect on the integrity of any of those sites.

The Agency has accordingly decided to grant a licence to Shell E & P Ireland Limited to carry on the activities listed in Part I, Schedule of Activities Licensed, subject to the conditions set out in Part III, such licence to take effect in lieu of Licence Register No. P0738-01.

The activities comprise of a natural gas refinery and a large combustion plant which have limited potential to cause pollution, and will make a significant contribution to reducing reliance on imported gas or on more polluting energy sources, are unlikely to have a significant effect on the environment, will not adversely affect the integrity of any European site,
will not result in the contravention of any relevant environmental quality standards and will not cause environmental pollution if managed, operated and controlled in accordance with the licence.

In reaching this decision the Agency has considered the documentation relating to the existing licence, Register Number: P0738-01, the review application Register Number: P0738-03 and the supporting documentation received from the applicant, all submissions received, the Licensing Inspector’s report, Inspector Addendum reports, and has carried out an Environmental Impact Assessment (EIA) and an Appropriate Assessment of the likely significant effects of the licensed activities on European sites.


The Agency considers that the Inspector’s Report dated 23 March 2015 and Inspector addendum reports dated 23 March 2015, 27 March 2015 and 8 April 2015) contain a fair and reasonable assessment of the likely significant effects of the licensed activities on the environment and adopts it as the assessment of the Agency. Having regard to this assessment, it is considered that the licensed activities, if managed, operated and controlled in accordance with the licence will not result in the contravention of any relevant environmental quality standards or cause environmental pollution.

The Agency also considers that the Inspector’s Report dated 23 March 2015 identifies all the European sites on which the licensed activities may have a significant effect, and contains a fair and reasonable assessment of the likely significant effects of the licensed activities on those European sites. (The sites are listed in Table 1.0 below and the licensed activities are not directly connected with or necessary to the management of those sites.) The Agency agrees with and adopts that report as the assessment of the Agency, and has determined that the licensed activities will not adversely affect the integrity of any European site.

Table 1.0 below specifies the designated European sites that were considered by the Agency during the Appropriate Assessment process.

Table 1.0 European sites considered by the Agency

<table>
<thead>
<tr>
<th>No.</th>
<th>Site Code</th>
<th>Site Name</th>
<th>Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>000476</td>
<td>Carrowmore Lake Complex</td>
<td>SAC</td>
</tr>
<tr>
<td>2</td>
<td>004052</td>
<td>Carrowmore Lake</td>
<td>SPA</td>
</tr>
<tr>
<td>3</td>
<td>004037</td>
<td>Blacksod Bay/Broadhaven</td>
<td>SPA</td>
</tr>
<tr>
<td>4</td>
<td>000500</td>
<td>Glenamoy Bog Complex</td>
<td>SAC</td>
</tr>
<tr>
<td>5</td>
<td>000472</td>
<td>Broadhaven Bay</td>
<td>SAC</td>
</tr>
<tr>
<td>6</td>
<td>004074</td>
<td>Illanmaster</td>
<td>SPA</td>
</tr>
<tr>
<td>7</td>
<td>000470</td>
<td>Mullet/Blacksod Bay Complex</td>
<td>SAC</td>
</tr>
</tbody>
</table>
The Agency considers that:

- The principal risks posed by the licensed activities relate to the permitted discharges to water (SW1, SW2 and SW3), and the discharge of nitrogen oxides (as NO₂) to air.
- There is also a risk posed by the potential for an explosive accident at or near to the licensed installation, and the incoming and outgoing pipes associated with it, which could lead to a loss of containment of materials on site.
- The probability of such an accident is extremely low, and any accident would be of short duration and would not result in a discharge of any material in sufficient quantity to cause pollution or to adversely affect any European site.
- Any accident leading to a flaring event would be of limited duration and would have only a passing impact on protected species. The Agency considers that such an impact would not adversely affect the conservation objectives of any European site.
- The licence requires the licensee to ensure that a documented Accident Prevention Procedure is in place that addresses the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This will minimise the risk of accident.
- Dispersion zone modelling indicates that the receiving water quality will not be impacted by the treated produced water discharge (SW3) and the ‘treated drainage water from areas at risk of contamination discharge’ (SW1).
- The licence requires the licensee to discharge treated produced water (SW3) further out to sea than previously permitted in the current licence P0738-01 (greater than 58 km from the European sites specified above and at a significant depth (350m)) which will
further reduce the likelihood of a negative impact on the water quality at SW1 (located just outside Broadhaven Bay).

- The licence requires the licensee to install an automatic shut-off at the gas refinery for emission point SW3 within six months from the date of grant of the licence. In the event of a loss of integrity of the core in the umbilical which conveys treated produced water, this valve will automatically shut to prevent the discharge to emission point SW3.

- Schedule A of the licence limits the amount of biocide to be used in line with the risk assessment submitted as part of the licence application. This will reduce the likelihood of the biocide discharge having a negative impact on the marine environment and any protected species referred to above.

- The storm water drainage system includes an emergency holding tank upstream of the settlement ponds which will be isolated in the event of hydrocarbon contamination as detected by on-line TOC (total organic carbon) and TC (total carbon) monitors fitted at the emergency holding tank to prevent the exceedance of environmental quality standards in the receiving water.

- The licence requires the licensee to meet emission limit values set in Schedule B.2 Emissions to Water for SW1, SW2 and SW3, to ensure that the discharge will not negatively impact water quality and ensure the continued protection of water-dependent protected species.

- The licence specifies noise limits of $45\text{dB}(A)_{L_{A,T}}$ (daytime), $40\text{dB}(A)_{L_{A,T}}$ (evening-time) and $35\text{dB}(A)_{L_{Aeq,T}}$ (night-time), at any noise sensitive locations, which will reduce the potential for noise to negatively impact protected species in designated Natura sites.

- The licence requires continuous monitoring at a permanent noise monitoring location and quarterly monitoring at AN1 to AN7 and other locations as may be required.

- Air dispersion modelling has demonstrated that emissions from the installation will not cause breaches of relevant air quality standards beyond the site boundary.

- Schedule B.1 Emissions to Air specifies limit values for emissions to air which will minimise the potential risk to protected species and habitats.

- The licence requires the provision of impervious areas and bunding trays and requires containment to prevent contamination to soil/groundwater from leaks and spills.

- The licence specifies that all tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds shall be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004) which will minimise the potential for contamination of soil/groundwater.

In light of the foregoing reasons and the Inspector's report and the Inspector Addendum reports, which are hereby adopted, the Agency is satisfied that no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of those European sites specified in Table 1.0 above.
Signed

Jennifer Cope

Jennifer Cope

Procedural Note

In the event that no objections are received to the Proposed Determination of the application, a licence will be granted in accordance with Section 87(4) of the Environmental Protection Agency Acts 1992 as amended as soon as may be after the expiration of the appropriate period.