**Extract from the Minutes of the 824th Licensing Meeting of the Agency was held on 29 September 2015, at EPA Headquarters, Johnstown Castle Estate, Co. Wexford**

Directors Present: L Burke (Chair);
D Lynott, A McGarry, M Ó Cinnéide, G O'Leary, M Crowe.

3. **Objections to a Proposed Determination of an Application for an Industrial Emissions Licence**

*Licensee*: **Shell E&P Ireland Limited**
**Bellanaboy Bridge Gas Terminal**
**Bellanaboy Bridge**
**Bellagelly South**
**County Mayo**

*Register of Licence No*: **P0738-03**

The Directors considered the following documentation: Proposed Determination issued on 13 April 2015, the First-Party objection; 7 Third-Party objections; 1 submission on objections made and the Report and recommendations of the Technical Committee, Office of Climate, Licensing, Research and Resource Use dated 24 September 2015.

A copy of the licence application was available electronically.

Leo Sweeney and Pamela McDonnell gave verbal presentations.

**Technical Committee Report**

The Directors noted the Technical Committee Report and approved the recommendations of the Technical Committee with the following amendments:

***Objection No. 2: Ms Betty Schultz and others***

The Directors agreed the following amendments to Condition 2.2.2.13:
Insert an additional Condition 2.2.2.13(ii) which reads as follows:
"*The licensee shall notify the public, in advance, of any planned operation of the flares. The means of notifying the public shall be agreed with the Agency and incorporated into the Public Awareness and Communications Programme, not later than three months from the date of grant of this licence*"
The existing Condition 2.2.2.13 should be renumbered to read: 2.2.2.13(i).
The Directors noted at paragraph 5, page 17 of the Technical Committee Report, that "*...any complaints relating to this period of the construction phase prior to 11 November 2014 should be addressed to the appropriate authority; ABP, in this instance...*", should have referred to Mayo County Council rather than ABP (An Bord Pleanála).
The Directors noted that Condition 6.23 of the existing IE Licence (Register Number P0738-01) and Condition 6.21 of the Proposed Determination (P0738-03) both refer to the control of light pollution and in both cases, read as follows:
*"The licensee shall provide and use adequate lighting during the operation of the installation at night-time. The light from any such lighting system should be directed downwards in order to minimise light pollution outside the boundary of the installation."*

***Objection No. 4: Mr Peter Sweetman***
The Directors noted at paragraph 2, page 38 of the Technical Committee Report, the decision of the Technical Committee to commission an expert report to revisit the appropriate assessment in order to satisfy itself that the conclusions reached by the inspector in the IR (*Inspectors Report*) were correct.

***Objection No. 7: The Applicant; Shell E&P Ireland Limited***
The Directors agreed to insert a new Condition 6.15.3 to read as follows: "*The licensee shall, as part of the Annual Environmental Report, provide a report on the annual Suspended Solids mass emission for SW2*".
The Directors agreed the following amendments to Schedule D: Annual Environmental Report;
Insert a new line in the Schedule to read as follows: "***Report on annual Suspended Solids mass emission for SW2".***

The Directors agreed to amend the Decision & Reasons for the Decision to read as follows:

***Decision & Reasons for the Decision***

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 Act 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, Conditions; such licence to take effect in lieu of Licence Register Number: P0738-01.

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;
- the submissions received;
- the Inspector's Report dated 23 March 2015 and addendum reports;
- the Proposed Determination;
- the objection received from the Licensee;
- the objections and a submission on the objections received from other parties; and
- the Technical Committee Report on the objections to the Proposed Determination and on the related submission on objections received

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 has applied the Commission Implementing Decision of 9 October 2014 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the refining of mineral oil and gas (2014/738/EU) as a reference when setting licence conditions.

The Agency notes that the main emissions from the licensed activities relate to the permitted emissions to water and emissions to air. There is a potential risk of an explosive accident at or near the licensed installation, or involving the incoming and outgoing pipelines associated with it. The risk of a potential accident is extremely low, and any accident would be of short duration due to the required mitigation measures.

It is considered that the Inspector's Report dated 23 March 2015, the Inspector's Addendum Reports and the Technical Committee Report contain a fair and reasonable examination, evaluation and analysis of the likely significant effects of the licensed activities on the environment, and adequately and accurately identify, describe and assess those effects. The assessment in those documents is adopted as the environmental impact assessment of the Agency. Having regard to this assessment, it is considered that the 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.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activities, individually or in combination with other plans or projects are likely to have a significant effect on any European Site. In this context, particular attention was paid to the European sites specified in Table 1.0 below. The Agency considered, for the reasons set out below, that the activities are not directly connected with or necessary to the management of any European Site and that it cannot be excluded, on the basis of objective information, that the activities, individually or in combination with other plans or projects, will have a significant effect on any European site and accordingly determined that an Appropriate Assessment of the activities was required. This determination is based on the proximity of the installation to the European sites and the nature and scale of the activities at the installation.

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

| No. | Site Code | Site Name | Designation |
|---|---|---|---|
| 1 | 000476 | Carrowmore Lake Complex | SAC |
| 2 | 004052 | Carrowmore Lake | SPA |
| 3 | 004037 | Blacksod Bay/Broadhaven | SPA |
| 4 | 000500 | Glenamoy Bog Complex | SAC |
| 5 | 000472 | Broadhaven Bay | SAC |
| 6 | 004074 | Illanmaster | SPA |
| 7 | 000470 | Mullet/Blacksod Bay Complex | SAC |
| 8 | 004072 | Stags of Broadhaven | SPA |
| 9 | 004227 | Mullet Peninsula | SPA |

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|---|---|---|---|
| 10 | 001501 | Erris Head | SAC |
| 11 | 004093 | Termoncarragh Lake & Annagh Machair | SPA |
| 12 | 004084 | Inishglora & Inniskeeragh | SPA |
| 13 | 004111 | Duvillaun Islands | SPA |
| 14 | 000495 | Duvillaun Islands | SAC |
| 15 | 004004 | Inishkea Islands | SPA |
| 16 | 000507 | Inishkea Islands | SAC |
| 17 | 0002998 | West Connacht Coast | SAC |
| 18 | 000542 | Slieve Fyagh Bog | SAC |
| 19 | 004098 | Owenduff/ Nephin Complex | SPA |
| 20 | 000534 | Owenduff/Nephin Complex | SAC |
| 21 | 001922 | Bellacorick Bog Complex | SAC |

The Agency has completed the Appropriate Assessment of potential impacts on these sites and has made certain, 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 activities, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular those specified in Table 1.0 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 for the following reasons:

- 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 Register Number: 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: Limitations,* of this 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.
- 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* of this licence, 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 45dB(A)$L_{Ar,T}$ (daytime), 40dB(A)$L_{Ar,T}$ (evening-time) and 35dB(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 AN5, AN6, AN8, AN9, AN10 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* of this licence, specifies limit values for emissions to air that will minimise the potential risk to protected species and habitats.
- The licence requires the provision of impervious areas and bunding, 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.

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.

Following discussion, the Directors therefore decided to grant a licence, as modified, to Shell E&P Ireland Limited, for their installation located at, Bellanaboy Bridge Gas Terminal, Bellanaboy Bridge, Bellagelly South, County Mayo, Register of Licence No P0738-03, subject to the conditions as set out in the licence.