

ORAL HEARING

PROPOSED LIQUEFIED NATURAL GAS (LNG) REGASIFICATION
TERMINAL LOCATED ON THE SOUTHERN SHORE
OF THE SHANNON ESTUARY IN THE TOWNLANDS
OF RALAPPANE AND KILCOLGAN LOWER, CO. KERRY

HEARD BEFORE THE INSPECTOR,

MR. ANDREW BOYLE

ON TUESDAY, 22ND JANUARY, 2008

AT THE BRANDON HOTEL, TRALEE, CO. KERRY - DAY 2

I hereby certify the
following to be a true
and accurate
transcript
of recordings of the
evidence in the
above-named action.

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1 THE HEARING RESUMED AS FOLLOWS ON TUESDAY, 22ND JANUARY
2 2008

3
4
5 INSPECTOR: Good morning everybody, 10: 05
6 I am wondering if we could
7 take our seats now please. Yesterday when we left off
8 we had the Applicants presenting their case on the need
9 for the project, its national, regional and local
10 context, consideration of alternatives including 10: 06
11 alternative methods. Mr. Power had just finished his
12 presentation and we were going to go on to your next
13 contributor, I think.

14 MR. O'NEILL: Mr. Shearer is now going to
15 make a presentation again 10: 06
16 in relation to the needs issue.

17
18 MR. GORDON SHEARER ADDRESSED THE ORAL HEARING AS
19 FOLLOWS

20 10: 07
21 MR. SHEARER: Mr. Inspector, Ladies and
22 Gentlemen, good morning.
23 My name is Gordon Shearer, I am the President and Chief
24 Executive Officer of Hess LNG which is the ultimate
25 parent company of Shannon LNG. I just want to say how 10: 07
26 glad I am to be here in Ireland and enjoying your
27 wonderful weather, very seasonal and I know it's not
28 like this all the time so hopefully when I am back in
29 the summer we will have a little bit more pleasant

1 climate to enjoy.

2
3 I am a director and the chairman of Shannon LNG Ltd.
4 My educational background: I have a Bachelor of
5 Science degree in Geophysics from Edinburgh University 10: 07
6 and a Masters Degree in Business Administration from
7 Harvard Business School. I am a member of the National
8 Petroleum Council of the United States.

9
10 With in the Hess Corporation I direct and have ultimate 10: 07
11 responsibility for the company's efforts in developing
12 liquefied natural gas terminals, of which we have two
13 active projects, which included the Shannon LNG
14 project. I have broad expertise in the LNG and natural
15 gas industries where I have worked for almost 30 years. 10: 08
16 I have authored numerous articles on the LNG industry,
17 made numerous at industry conferences. I have been a
18 contributing author to the book "Energy and Security -
19 Towards a New Foreign Policy Strategy" and recently
20 co-authored a book called "LNG, a non-technical 10: 08
21 guide" and I am happy to leave a copy of that for the
22 Board if that's appropriate. It's not being introduced
23 as evidence and I am not intending to read it here
24 today.

25 10: 08
26 Prior to joining the Hess Corporation in 2007 I worked
27 with Poten & Partners for six years and as we saw
28 yesterday Poten is one of the joint venture partners in
29 Hess LNG. In 2004 that joint venture was formed and

1 I became the Chief Executive. Prior to that, working
2 with Poten, I worked for a company called Cabot
3 Corporation from 1978 to 2001 where I was at the end
4 President and Chief Executive Officer of Cabot LNG
5 Corporation between 1988 until the business was sold in 10: 09
6 2000. By way of background Cabot owned and operated
7 the LNG terminal which has operated in Boston Harbour
8 since 1971, owned the LNG tanker the "Matthew" and was
9 the driving force behind and a 10% shareholder of the
10 Atlantic LNG Liquefaction project in Trinidad & Tobago 10: 09
11 of which company I was a director as well. From 1996
12 until 2000 I was the vice president of the
13 International Association of LNG Importers. My earlier
14 career included assignments in the company's LNG and
15 exploration, production, pipeline and gas utility 10: 09
16 businesses.

17
18 Let me now describe my involvement with the Shannon LNG
19 project. Hess acquired the project in 2005. I am a
20 direct of Shannon LNG and am intimately involved in 10: 10
21 many of the decisions relating to the strategic,
22 commercial, technical, financial and regulatory aspects
23 of the development of this project. I was involved in
24 the drafting of the Shannon LNG Environmental Impact
25 Statement, particularly those sections of the EIS 10: 10
26 addressing the global and Irish market context for the
27 project and the commercial rationale. I also have
28 responsibility for maintaining communication and
29 coordination between the Shannon LNG project, the other

1 business interests of Hess LNG and the executive
2 committee of Hess LNG.

3
4 In giving my evidence today I am going to cover the
5 following areas some of which are expanding on material 10: 10
6 in the EIS, other parts of which are in relation to
7 issues that have been raised in various submissions in
8 the public domain. I will discuss the relationship of
9 Shannon LNG, Hess LNG and the Hess Corporation; Hess'
10 experience in other LNG and energy projects; the 10: 11
11 international dimensions of the LNG industry; the
12 potential role of LNG in the Irish energy market; the
13 scale and the timing of the project; and then respond
14 to some of the specific comments in the submissions.

15 10: 11
16 First the relationship of Shannon LNG to Hess LNG and
17 Hess Corporation. Shannon LNG is a wholly owned Irish
18 subsidiary of Hess LNG Ltd. and was established to
19 pursue, develop and implement the proposed Shannon LNG
20 terminal. Hess LNG Ltd. is registered in the Cayman 10: 11
21 Islands which affords the company certain tax benefits
22 under the US tax code. Hess LNG Ltd. is a joint
23 venture of Hess Corporation and Poten & Partners, both
24 US companies and highly experienced in the
25 international oil and gas business. Shannon LNG is 10: 11
26 presently being funded solely through shareholder funds
27 and we expect this would continue for the entire
28 project, although the company may also consider using
29 project or perhaps more precisely non-recourse

1 financing for the construction of the LNG terminal
2 which is expected to cost about €500 million.

3
4 The rationale for a separate subsidiary for the LNG
5 terminal (as there probably will be for the associated 10: 12
6 pipeline) is also a function of regulatory
7 requirements. The European Union is seeking legal
8 unbundling of gas network operations of which LNG is an
9 example. As such Shannon LNG should be organised as a
10 separate legal entity from its affiliates in the gas 10: 12
11 pipeline and LNG supply activities as well as from its
12 parent companies.

13
14 Hess Corporation is a global integrated energy company
15 engaged in oil and gas exploration and production, 10: 12
16 refining of crude oil and the sale of refined products,
17 natural gas and electricity. Hess Corporation's stock
18 is listed in the New York Stock Exchange.

19
20 Poten & Partners provides brokerage, consulting and 10: 13
21 project development services related to trading and
22 transportation of crude oil, petroleum products,
23 natural gas, LNG, liquefied petroleum gas and other
24 commodities.

25 10: 13
26 Let me talk briefly about Hess' energy and LNG
27 experience. A key consideration in the approval of a
28 large scale project of this type is the experience of
29 the project sponsor, in this case Shannon LNG and Hess

1 LNG. Hess is a large and successful energy company
2 with experience in developing, building and operating
3 major energy projects in the international upstream and
4 downstream oil and gas businesses. The company has
5 assets of \$24 billion, annual cash flow from operations 10: 13
6 of about \$3.5 billion and invests about \$4 billion each
7 year in capital and exploration expenditures. The
8 company has the ability to finance the Shannon LNG
9 project from internal funds. On the downstream side
10 Hess has built one of the largest oil refineries in the 10: 14
11 western hemisphere in St. Croix in the US Virgin
12 Islands and operated that refinery for over 30 years.
13 Hess now holds a 50% ownership interest in a joint
14 venture that operates this facility. Hess also owns
15 and operates a small refinery in Port Reading, New 10: 14
16 Jersey, not far from New York City. The company
17 operates 22 oil terminals, including several that
18 accept large oil tankers and almost 1400 branded petrol
19 stations throughout the Eastern United States. Hess is
20 a leading energy marketer in the US East Coast, 10: 14
21 providing approximately 1.5 billion cubic feet a day of
22 natural gas in addition to fuel oil and electricity to
23 over 18,000 customers, commercial and industrial
24 mainly, through 14 states.

25
26 On the upstream side, Hess operates major, complex oil
27 and gas projects. Examples of which would be the Gassi
28 El Agreb enhanced oil recovery project in Algeria, the
29 Okume Complex in offshore Equatorial Guinea, the

1 Sinphuhorm Field in Thailand and Seminole-San Andres
2 enhanced oil recovery project in West Texas. Hess has
3 a long history in the UK and North Sea, which is now
4 winding down. In all Hess operates in 20 countries,
5 including Malaysia, Australia, Egypt and Azerbaijan. 10: 15
6 Many of these upstream projects as well as the US
7 refineries are considerably more complex and
8 challenging than the proposed LNG terminal. Hess is a
9 minority shareholder in the Pine Needle LNG peakshaving
10 plant in North Carolina, a project somewhat smaller 10: 15
11 than the Shannon LNG project and obviously missing the
12 shipping component. Hess is also a minority
13 shareholder in the Snohvit Liquefaction plant which is
14 now undergoing start-up near Hammerfest in northern
15 Norway. 10: 15

16
17 But of equal importance to the company's experience is
18 the experience of the personnel who will be developing,
19 building and operating the Shannon LNG project. As you
20 will see from the experience in the resums of the 10: 16
21 witnesses who will be presenting evidence over the next
22 few days, Shannon LNG employs a team of seasoned
23 executives with a unique blend of Irish and
24 international experience in LNG and other major energy
25 projects. 10: 16

26
27 Let me talk briefly about the international dimensions
28 of the LNG industry to set a context for this project
29 with a slightly different perspective perhaps than

1 Mr. Power did yesterday. In this section I am going to
2 focus on my testimony in those section of the EIS in
3 2.2.2, 2.2.4 and 2.2.5. The global LNG industry has
4 witnessed unprecedented growth over the last several
5 years and this is expected to continue through the next 10: 16
6 several decades. Detailed forecasts of its growth and
7 its driving forces are readily found through a variety
8 of sources including the International Energy Agency,
9 the US Energy Information Administration, which is part
10 of the US Department of Energy, the European 10: 17
11 Commission, various academic and private forecasting
12 entities as well as studies and forecasts published by
13 companies and consultancies in the energy industry.
14 I am going to try and summarise these views briefly
15 here to set the context for the role LNG could play in 10: 17
16 the Irish energy picture and how Shannon LNG will fit
17 that.

18
19 The demand for LNG worldwide was traditionally driven
20 by markets which desired to import LNG both as a means 10: 17
21 to diversify their energy supplies and to meet
22 environmental goals. Those were the driving forces
23 behind the earliest and largest LNG imports in the
24 world, namely those of Japan and South Korea. There
25 were also factors perhaps to a lesser degree in the 10: 17
26 drive for imports into the European markets where
27 France, Italy, Belgium and Spain have long been major
28 LNG importers. These countries either had no access to
29 domestic supplies of natural gas, as was the case for

1 Japan and Korea, or had limited access in the case of
2 the European countries. Today these original LNG
3 countries are being joined by many more, the USA,
4 Canada, Mexico, the UK, Portugal, the Netherlands,
5 Germany, Poland, Greece, Turkey, Cyprus, Chile, Brazil, 10: 18
6 China and India to name just some of the places that
7 LNG facilities are being developed or have already
8 opened -- all of whom are developing import
9 infrastructure. During the period between 1980 and
10 2005, the global LNG trade expanded from around 10: 18
11 3 billion cubic feet per day to 19 billion cubic feet
12 per day. Graphically you can get a sense of the
13 geographical scale from figures 1 and 2 in the
14 testimony there. I am not going to put these up on the
15 power point, they are embedded in the testimony I have 10: 18
16 presented.

17
18 What is driving this latest surge in the global LNG
19 marketplace? Some of those are similar to that of the
20 early period of the industry, but today the issues tend 10: 19
21 to be more acute. First, countries or regions which
22 have long been self-sufficient in natural gas such as
23 North America, the UK and the Netherlands have
24 experienced falling domestic production in the face of
25 ever rising demand. The demand for natural gas is 10: 19
26 rising on a global basis reflecting its desirability as
27 an economical and environmentally preferred fuel over
28 other fossil fuels such as oil and coal. This
29 increased demand has been especially pronounced in the

1 power generation sector where natural gas, burned in
2 combined cycle power plants, has proven to be the most
3 cost effective and environmentally preferred means of
4 generating electricity in new power plants. The UK has
5 experienced its "dash for gas" and in the US 90% of the 10: 19
6 power plants built over the last decade have been
7 fueled by natural gas. Another factor driving demand
8 for gas in Canada has been the use of gas as a fuel for
9 the production of crude oil from the tar sands in
10 Alberta which has proven particularly attractive with 10: 20
11 today's high oil prices.

12
13 On the supply side, North America has ceased to be
14 self-sufficient in gas supply as the older fields of
15 the continent are depleting and new production is 10: 20
16 coming more slowly than planned. Many prospective
17 areas for gas exploration in the entire US East and
18 West Coasts, the eastern half of the Gulf of Mexico and
19 wide areas of the Rocky Mountains have been placed off
20 limits for exploration for environmental reasons. 10: 20
21 Mexico's domestic energy production efforts have been
22 focussed on crude oil at the expense of gas. As a
23 result LNG is expected to account for 15 to 20% of
24 North American gas supply by 2020 up from almost
25 nothing a decade ago. 10: 20
26

27 In Europe, the UK North Sea has experienced significant
28 declines in gas production and domestic supply is
29 continuing to fall. The Netherlands has also seen a

1 drop in potential gas supply as the Government has
2 reduced the output of the massive Groningen field to
3 preserve its production for future generations.
4 Norway's government has also been reluctant to sanction
5 new gas production more recently in a decision to 10: 21
6 refuse expanded gas deliveries from the giant Troll oil
7 and gas field, the so called Gas Network Expansion.
8 The result has been that Europe has increasingly turned
9 to pipeline supplies from Russia and Algeria to meet
10 the continent's growing gas demand, and the import 10: 21
11 dependency of Europe as a whole is expected to increase
12 in the next two decades growing to 75% of all gas
13 requirement by 2015. In the Far East, the rapidly
14 growing economies of China and India are also
15 experiencing growing demands for fuels, especially 10: 21
16 non-oil fossil fuels and both countries are bidding
17 aggressively for LNG supplies.

18
19 In this evolving global marketplace, the interest in
20 and desire to secure LNG supply has taken on an 10: 22
21 increasing degree of importance on a global basis. The
22 vast bulk of the world's remaining known gas reserves
23 that can be tapped relatively easily all lie great
24 distances to the major consuming areas. LNG production
25 is rapidly expanding in Qatar, Nigeria, Trinidad, 10: 22
26 Equatorial Guinea, Egypt, Norway and Australia and
27 continuing steadily in Algeria, Malaysia, Oman and Abu
28 Dhabi, while dropping in Indonesia. New LNG supply
29 projects are under development in Angola, Venezuela,

1 Peru, Russia, Australia, East Timor, Papua New Guinea
2 and Yemen. Much of this expansion was driven in the
3 late 1990s and early 2000s as falling costs made the
4 liquefaction industry increasingly competitive with
5 other fuel sources. By 2015, LNG supply to the 10: 22
6 Atlantic basin from current and committed liquefaction
7 plants is expected to reach 50 billion cubic feet per
8 day, almost three times the 2005 level. Shannon LNG's
9 projected LNG demand in 2015 represents less than 1% of
10 the world's total projected supplies. 10: 23

11
12 The world has plenty of gas left. Figure 3 shows the
13 world's reserves of natural gas compared to consumption
14 at the end of 2005, that's the same slide that
15 Mr. Power used yesterday. The one that may be more 10: 23
16 interesting is figure 4 which shows today the world has
17 reserves equal to 63 years of consumption at current
18 rates. What is interesting particularly about that
19 slide is 20 years ago the world had or 25 years ago the
20 world also had 60 years of supply; in other words, as 10: 23
21 we have consumed natural gas we have been able to
22 replace gas as quickly as we are consuming it. We
23 don't need to get into the details of that, but I am
24 happy to discuss that.

25 10: 24
26 While the LNG market is growing, it is also
27 demonstrating an increasing degree of flexibility.
28 Some LNG cargoes are diverted to higher value markets
29 on relatively short notice. However, long-term

1 contracts have underpinned the financing of what is a
2 very expensive delivery chain and will almost certainly
3 continue to dominate the LNG market providing both
4 sellers and buyers with the security they need to
5 finance their respective investments. In this global 10: 24
6 marketplace the most attractive markets will be those
7 that offer the highest prices, that are situated
8 closest to the liquefaction plants, since the marine
9 transportation of LNG is very expensive, and which can
10 accommodate the largest LNG tankers and the widest 10: 24
11 range of these tankers.

12
13 A second driving force in the LNG market is a desire on
14 the part of many energy consuming countries to import
15 LNG as a way of diversifying and improving the security 10: 24
16 of their energy supplies. Europe is acutely sensitive
17 to this issue, it is heavily dependent on pipeline
18 imports and has experienced first hand the risk
19 associated with disruptions to those supplies. The
20 European Commission produced a Green Paper in 2006 10: 25
21 which under the section titled "A Clear Policy on
22 Securing Diversifying Energy Supplies" stated:

23 "Such a policy is necessary for both
24 the EU as a whole and for specific
25 member states or regions and is clearly 10: 25
26 appropriate for gas. To this end the
27 above mentioned review could propose
28 clearly identified priorities for
29 upgrading and construction of new
infrastructure necessary for the
security of EU energy supplies, notably
new gas and oil pipelines and LNG
terminals."

1 The UK Government sponsors the Joint Energy Security of
2 Supply Working Group, otherwise known as the JESS,
3 whose report in April 2006 also identified a need for
4 new gas supply infrastructure including LNG terminals.

10: 25

6 The final factor influencing the market is natural gas'
7 role in lowering emissions of green house gases
8 specifically CO₂, in an attempt to halt or reduce
9 global warming. Especially when employed as fuel for
10 power generation, natural gas has a much lower carbon
11 footprint than other fossil fuels, especially coal.
12 The early development of the LNG industry was also
13 influenced by gas' environmental benefits, though the
14 benefits were much more focussed on reductions in
15 sulphur dioxide and nitrous oxides and the
16 corresponding gains and improvements in air quality.

10: 26

10: 26

18 This factor influences the entire natural gas market,
19 not just LNG, and with growing focus would be expected
20 to lead to growing worldwide demand for this fuel.

10: 26

22 In summary, the global market is characterised by rapid
23 growth and increasing flexibility. LNG supply is
24 available for purchase on a long-term secure basis and
25 can provide the import country with security and
26 stability of supply. Prices are increasingly set by
27 worldwide market forces and terminals which provide
28 access to attractive markets and are located reasonably
29 close to liquefaction plants will be more likely to

10: 26

1 succeed in securing those long-term supplies.
2 Fortunately, Ireland offers just as a combination of
3 factors as Mr. Power mentioned in his statement and we
4 are very confident that Shannon LNG will be able to
5 secure the supplies it needs to support Ireland's
6 market requirements.

10: 27

7
8 I am going to skip much of the next section because it
9 really was covered in detail by Mr. Power yesterday and
10 move on to the scale and timing of the project.

10: 27

11
12 Developing an LNG project is a major undertaking even
13 if it only involves, and I say only, the development of
14 a regasification terminal. A combination of factors,
15 the size of the ships, the uncertainty of the demand
16 profile and the rate at which it develops, variability
17 in domestic production and the need for storage, apart
18 from that required to operate the terminal, all suggest
19 a phased flexible approach is the best way to proceed.
20 However, we have to emphasise that given the very high
21 cost of each LNG storage tank Shannon LNG will not
22 install more than it feels are absolutely necessary to
23 meet the requirements of the market. Flexibility in
24 timing and scale is a best way to marry the needs of
25 the Irish market and the expectations of the LNG
26 suppliers and that's the approach which Shannon LNG is
27 adopting in this project.

10: 27

10: 28

10: 28

28
29 In that regard we have described that the project is

1 designed to include one or two LNG storage tanks
2 initially with up to four in total by the end of the
3 ten year planning horizon. The initial number of tanks
4 will be driven by the expected size of the tankers
5 delivering LNG. Just by way of explanation clearly if 10: 28
6 we use a very large tanker the tanks have to be large
7 enough to accept the cargo from that tanker into them.
8 The expected demand profile, especially the daily and
9 seasonal variability for natural gas supply from
10 Shannon LNG, will also be a factor in the number of 10: 29
11 tanks installed initially as well as the amount of
12 vaporisation capacity. This demand profile will be a
13 function in turn of the growth of the Irish gas market
14 (including the eventual implementation of the
15 all-Ireland market), the timing and production rates 10: 29
16 from Corrib, any future gas discoveries and the
17 availability of LNG supplies on advantageous terms
18 which could permit short term incremental purchases in
19 excess of long-term supply commitments.

20 10: 29
21 In this regard I might mention, Mr. Inspector, you
22 asked yesterday the question as to how this terminal
23 would fit in the scale of world terminals. My comment
24 would be in the initial phase it would be one of the
25 smaller terminals in the world and in its ultimate 10: 29
26 development it would be somewhere in the middle of the
27 pack, about midsized compared to let's say the
28 terminals in the Far East, compared to several of the
29 US terminals, compared to the terminal in Milford Haven

1 that we saw yesterday in the video, Shannon LNG is
2 smaller than all of those.

3
4 In addition to storage requirements for normal LNG
5 operations, Shannon LNG also anticipates there could be 10: 30
6 a market for separate storage services to be offered to
7 third parties for the development of strategic gas
8 storage to meet national and EU policy goals. The EU
9 Green Paper I mentioned identified the possibility that
10 member states could be required to maintain strategic 10: 30
11 stocks of national gas and the Irish Government is also
12 conducting a review of potential storage requirements
13 for Ireland to ensure supplier reliability.

14
15 Now, I would like to turn my comments to respond to 10: 30
16 some of the issues that were raised in the submissions
17 and I will address those. One comment was raised by
18 the Kilcolgan Residents Association and Ms. O'Connor to
19 the effect that Shannon LNG has no obligation to supply
20 the Irish market the low priced gas. 10: 31

21
22 In response I will say we do agree actually that
23 Shannon LNG like all other gas suppliers is under no
24 obligation to supply gas to the Irish market at any
25 particular price, that is a function of market 10: 31
26 conditions and the specific contracts to be negotiated
27 with our customers. Shannon LNG has not as yet secured
28 a firm supply for the proposed project, but we are very
29 confident we will be able to do so. As I described

1 earlier given the relative attractiveness of the Irish
2 market we are optimistic that LNG suppliers will be
3 willing to commit supply to Ireland. We have made
4 studies which show that adding supply from Shannon LNG
5 to the Irish market will increase competition and
6 reduce prices. Today Ireland pays a premium over the
7 UK market price. If we are successful that premium
8 will be reduced resulting in lower energy prices for
9 all consumers.

10: 31

10
11 Let me turn to the comment that once operational we
12 will not be under any obligation to supply the market.
13 Let me also explain why this should not give rise to
14 any great anxiety on the part of consumers or the
15 authorities. As long as the Irish market price remains
16 above the UK market price, which in turn is
17 increasingly linked to the price of gas in north west
18 Europe, we expect that LNG will preferentially flow to
19 Ireland over these other markets. This has been the
20 experience recently between the UK and US markets when
21 high UK prices have attracted LNG away from the US
22 market and vice versa. More supply coming to Ireland
23 will mean lower prices.

10: 32

10: 32

10: 32

24
25 The bottom line is very straightforward. We expect to
26 be successful in securing long-term supplies for our
27 terminal in order to supply the Irish market.
28 Additional supplies will lower gas prices which will
29 benefit all consumers. If we build the terminal and

10: 32

1 cannot use the capacity or its entire capacity for our
2 own account then we have every incentive to offer that
3 capacity to third party suppliers, but if we do not
4 secure the requisite approvals without unduly onerous
5 conditions or if market conditions change in an adverse 10: 33
6 manner our project may not be commercially viable. In
7 those circumstances it is highly unlikely that any
8 other developer would be willing to seek to build an
9 LNG terminal in Ireland and the country will remain
10 beholden to the UK for its gas supplies and for the 10: 33
11 price of those supplies.

12
13 Another submission raised the comment from Ms. O'Connor
14 that Shannon LNG can divert its LNG to other markets in
15 the UK and Europe. In response to that I have to say 10: 33
16 that that actually would be correct. Under European
17 anti-competition laws and Irish law Shannon LNG could
18 bring LNG to Ireland and sell that LNG to the UK and
19 Europe. In fact we would not be able to stipulate that
20 it had to be sold only in Ireland, that would violate 10: 34
21 EU law. However, that's unlikely to happen except in
22 very rare circumstances because it make little
23 commercial sense. Let me explain. In order to sell
24 gas into the UK market Shannon LNG would have to pay
25 the BGE rates for transporting gas through Ireland and 10: 34
26 then pay the interconnector rates for transporting gas
27 across the Irish sea. However, the UK LNG terminals
28 that we heard about yesterday are connected directly to
29 the UK system and would not have to pay either the

1 rates within Ireland or the interconnector rates to
2 cross the sea. As a result Shannon LNG would be unable
3 to compete with the UK LNG terminals in the UK
4 marketplace. Going to Europe would be even harder as
5 in addition to the Irish rates we would have to pay the 10: 34
6 UK rates and then the interconnector rates to move gas
7 from the UK to Europe. This would not be economically
8 feasible and would almost certainly never happen. It
9 would also mean that in those circumstances Ireland's
10 gas prices would be well below those in the UK and 10: 35
11 Europe, which of course would be exactly the benefits
12 this project is designed to deliver, that is to deliver
13 Ireland not just competitive emergency prices, but
14 hopefully energy prices that are equal to or below
15 those in other countries. 10: 35

16
17 As for the concept of re-exporting from Shannon LNG to
18 other markets via tanker, I would not say this could
19 never happen since there may be again very rare
20 circumstances when it would occur. It is highly 10: 35
21 unlikely, however, since it would be an expensive
22 proposition to unload an LNG tanker into the LNG
23 terminal and then load that LNG back onto another
24 tanker to take to a different market and then unload it
25 into yet another LNG terminal in that other market. 10: 35
26 Just as exporting gas from Shannon to the UK and Europe
27 would make little sense, exporting LNG by sea from
28 Shannon to other markets would also make little sense.

1 Another submission from Ms. O'Connor noted that an LNG
2 terminal in Ireland should be developed by a state
3 owned company. In response we would say there is no
4 obstacle to a state owned company developing an LNG
5 terminal in Ireland. There was no obstacle to a state 10: 36
6 owned company proposing to build an LNG terminal to the
7 Shannon LNG site, but neither BGE or ESB expressed any
8 interest in the site or the project. Indeed in the
9 comments on the Government's recent Green Paper BGE
10 noted: 10: 36

11 "We recognise that the development of
12 an efficient scale LNG facility will be
13 challenging during the life of the
14 Corrib field, if viewed in an Ireland
15 only context. Due to the capital
16 intensive nature of LNG, its potential
17 role as a new Irish market only supply
18 source would be in the longer term." 10: 36

19 This hardly suggests much interest or enthusiasm for
20 LNG on the part of BGE and there is no insurance that a 10: 37
21 state company would be any more successful in securing
22 LNG on competitive terms from the Irish market unless
23 it undertook to pay a premium over all prospective
24 other buyers and then in turn try to pass those costs
25 on to the Irish gas consuming public. In other words,
26 we have made a commercial decision and BGE would be
27 free to make an equivalent commercial decision. 10: 37

28 Another submission noted that the Shannon LNG project
29 is not in the national interest, Ms. O'Connor again and
the Kilcolgan residents at several points noted this.

1 I am not going to read through all of the comments,
2 just to note that in the Green Paper both the
3 Government noted and ESB noted that the development of
4 a Liquefied Natural Gas terminal would be beneficial to
5 the Irish marketplace. The Government White Paper on 10: 37
6 Sustainable Energy Future also noted the active
7 encouragement by the Government of private sector
8 interests in investing in gas storage facilities and
9 LNG would be a Government objective.

10 10: 38
11 If these preceding statements that we have referenced
12 does not indicate Government policy and unequivocal
13 support for the LNG project we are at a loss to
14 understand what more they could say. The submissions
15 that suggest that planning permission be delayed until 10: 38
16 the Government completes the all Ireland strategy for
17 gas storage and LNG are misleading since the study
18 referred to is intended to address the issue of gas and
19 LNG storage for strategic and reliability purposes, not
20 the issue of gas supply. As discussed in the EIS and 10: 38
21 in this testimony Shannon LNG has maintained a flexible
22 development posture as to the number of LNG tanks to be
23 constructed and could be in a position to offer
24 strategic storage service to the market if that was a
25 policy supported by the outcomes of that particular 10: 38
26 study.

27
28 Another submission noted that the Shannon LNG project
29 is not needed as Ireland has access to other gas

1 supplies. That was a submission by Adam Kearney
2 Associates as well as the Kilcolgan residents. It
3 broke into several components which I will try and
4 address separately. We did cover this somewhat in
5 section 2.2 of the EIS, but I think there are some
6 specific aspects that we could expand on here.

10: 39

7
8 A gas pipeline exists between Norway and the UK,
9 I guess the implication being that pipeline would be a
10 source of supply. There is a new gas pipeline between
11 Norway and the UK, the third such pipeline. When it
12 was commissioned in October 2006 the UK prices dropped
13 sharply for a short period of time, even negative
14 levels because sellers were actually paying buyers to
15 take gas from them to avoid penalties that would be
16 otherwise assessed on imbalanced deliveries into the UK
17 gas grid. This phenomenon turned out to be extremely
18 temporary and by the summer of 2007, that is last
19 summer, UK gas prices were trading at a near parity
20 with US prices. While the UK market may well be
21 supplied on an average basis, the forecasts are much
22 less assuring when it comes to meeting peak day demand.
23 A recent study published by Ofgem, the UK regulator,
24 suggested that the UK could face peak day supply
25 shortfalls by the winter of 2015/16 unless additional
26 investment is made in infrastructure to serve the UK
27 including additional LNG import capacity. Just last
28 month British Gas warned that prices of gas would
29 increase in 2008 as much as 15% over current levels.

10: 39

10: 39

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10: 40

1 So the UK is having its own issues with LNG gas supply
2 and gas pricing.

3
4 Another part of this comment was LNG terminals in the
5 rest of Europe could supply gas to Ireland. In 10: 40
6 response: That's theoretically correct, but in order
7 to reach Ireland the gas price would need to reflect
8 the landed cost of LNG, the cost of the terminaling,
9 the cost to transport the gas through those segments of
10 the European gas grid plus the cost of transport from 10: 41
11 Europe to the UK through the interconnectors there.
12 The cost of transport of gas through the UK and finally
13 the cost of transporting gas across the UK/Ireland
14 interconnectors all before it reached Ireland.
15 Assuming for the moment, and that's not a very sound 10: 41
16 assumption, that the capacity was available to do it,
17 especially in peak demand periods, the result would be
18 much higher prices for natural gas in Ireland and could
19 be realised by importing directly and avoiding all the
20 pipeline transportation fees associated with this 10: 41
21 method of delivery.

22
23 Another comment was to the effect that gas has been
24 discovered off the coast of Ireland and our response to
25 that. The Corrib field has been in development for 10: 41
26 some time. I think its struggles to realisation are
27 very well known. However, even if Corrib comes on line
28 as planned based on Government forecasts it will not
29 supply more than 40% of Ireland's requirements and

1 eventually it too like Kinsale will go into decline.
2 No other commercial deposits of natural gas have been
3 discovered off the Irish coast.
4

5 The next comment was to the effect that Shannon LNG is 10: 42
6 giving no assurances of supply. As we explained
7 earlier that is correct. There are certain
8 prerequisites necessary before Shannon LNG can enter
9 into supply LNG discussions with prospective suppliers.

10 However, it should be noted that none of the other 10: 42
11 possible supply services mentioned as alternatives
12 provide any supply assurance either, whether LNG
13 through the UK or Europe or pipeline gas from Norway or
14 Russia. As for the "use it or lose it" provisions
15 proposed for the Isle of Grain terminal, Shannon LNG 10: 42
16 expects something similar will required in its case,
17 but even if this did not happen Shannon LNG has no
18 commercial motivation to keep capacity at its terminal
19 off the market as it has no source of revenue if no LNG
20 is flowing through the terminal. 10: 42
21

22 The next comment is to the effect that Shannon LNG is
23 not needed because the UK faces a supply glut which
24 should guarantee the supply of LNG to Ireland. What
25 the paper referred to in this comment actually states 10: 43
26 is that the UK expected to experience an excess of
27 import infrastructure during the period in question,
28 that period ended in 2010, while Shannon LNG does not
29 expect to begin operations until 2012. The existence

1 of infrastructure is a necessary condition to securing
2 LNG or gas supplies, but it does not guarantee them.
3 As the article referred to also noted LNG suppliers and
4 Norwegian pipeline gas suppliers can divert their
5 supplies to other market reflecting the competitive 10: 43
6 realities of the gas supply business. Furthermore,
7 infrastructure and supply in the UK does not equate to
8 more gas for Ireland as forecasts show that Ireland's
9 peak day requirements will exceed the capacity of
10 existing infrastructure within a few years. 10: 43

11
12 Finally, the report noted that UK prices had fallen to
13 less than \$4 per million btu and UK gas suppliers had
14 all announced price reductions to consumers. Today the
15 UK National Balancing Point price is of the order of 10: 44
16 \$10.80 per MMBtu (well in excess of US prices which at
17 the time of this writing were around \$7 per million
18 BTU) and as noted British Gas is warning consumers of
19 upcoming price increases as they are now other
20 suppliers on the UK market. 10: 44

21
22 The next submission suggested that planning permission
23 should be denied because Hess LNG's USA project has
24 been denied approval showing Hess' disregard for
25 safety, that's the Kilcolgan residents comment. In 10: 44
26 response to that let me make the following
27 observations: There is no question that LNG terminals
28 are broadly opposed in most of the United States
29 outside actually a limited number of states in the Gulf

1 of Mexico being Texas Louisiana and possibly at times
2 Mississippi. That does not mean they are unsafe. In
3 fact the oldest operating terminal in the United States
4 and one of the oldest in the world located in Boston
5 Harbour has operated since 1971 without any
6 consequential incidents of any kind since its
7 commissioning. The LNG industry's safety record is
8 unmatched globally as should be clear from the EIS and
9 other testimony offered during these hearings. 52,000
10 voyages reported by SIGTTO as of 31 December 2007,
11 without any accidents involving any loss of LNG from a
12 tanker incident, no injuries to the public and I should
13 say no consequential loss -- there have been small
14 leaks -- no injuries to the public, no property damage
15 and no environmental damage arising at any LNG import
16 terminal.

10: 45

10: 45

10: 45

17
18 As for our project in the US called the Weaver's Cove
19 project that was found to be safe, secure and
20 environmentally acceptable by the Federal Energy
21 Regulatory Commission, the US agency charged with
22 approving all US import terminals and overseeing their
23 safety. In 2005 that approval was received and the
24 recent Coast Guard ruling referred to by the objector
25 deals only with a narrow issue arising from the
26 existence of an old bridge which blocks the main
27 shipping channel or currently blocks the main shipping
28 channel. We are in the process of appealing this
29 decision as well as modifying the application we made

10: 45

10: 46

1 to Coast Guard to address the specific concerns and we
2 expect this project will proceed to approval within the
3 next year or so.

4
5 As for the accusation that Hess does not care about 10: 46
6 safety and will ignore its own best practices to put
7 lives at risk to "clinch the deal". Nothing could be
8 further from the truth. Hess has an unqualified
9 commitment to safety for the communities in which we
10 operate, for the employees and contractors at our 10: 46
11 facilities and of the protection of the environment.
12 We don't do this just for altruistic reasons, but also
13 because it is good business practice. Safe facilities
14 are more profitable facilities and we believe the two
15 aims can co-exist, but safety is never compromised in 10: 47
16 the interests of profit.

17
18 The implication that Hess is not subject to regulations
19 for health and safety is unsupported and untrue. If
20 anything the US example illustrates just how tough the 10: 47
21 independent safety standards governing LNG operations
22 actually are. Similar standards are found in Europe
23 and Ireland through the application of the European
24 safety codes governing LNG citting, as well as through
25 international safety standards which apply to LNG 10: 47
26 tankers.

27
28 Another submission noted that Shannon LNG is controlled
29 through an offshore company and has no assets of note,

1 the Kilcolgan Residents Association. In response
2 I would note that this assertion is based on a very
3 limited financial filing made with the Companies
4 Registration Office and presents an unrealistic view of
5 the company's ultimate financial condition. These 10: 48
6 accounts only represent a picture of the company at the
7 end of 2006 shortly after it was incorporated in
8 Ireland. To construct the LNG terminal Shannon LNG
9 will need funds of approximately €500 million which as
10 described above will be supplied from its parent 10: 48
11 company or may come through project loans. No matter
12 where that parent company is domiciled the simple fact
13 is that Shannon LNG itself will be more than adequately
14 capitalised to fund construction of the terminal. The
15 nature of the LNG business is by definition 10: 48
16 international and as a result Shannon LNG will be part
17 of a supply chain which stretches around the world over
18 many countries and legal jurisdictions.

19
20 Shannon LNG will take ownership of the site and will 10: 48
21 construct and operate the LNG terminal. Any suggestion
22 as raised in the submittal that we will sell the site
23 or the operations in whole or in part is without
24 foundation. Shannon LNG has more than adequate
25 commercial incentive for safe operations as its 10: 49
26 profitability is based on its remaining in business
27 over a long period of time, something it could not do
28 if it was held responsible for damaging the environment
29 or creating human losses. I think that was the terms

1 used in the submittal.

2
3 Another submission noted that planning permission
4 should be refused because LNG contributes to global
5 warming and is an obstacle to the development of
6 renewable energy. That was a comment submitted by the
7 Sea Energy Group, Thomas O'Donovan and again the
8 Kilcolgan residents.

10: 49

9
10 This aspect of the project was covered in some detail
11 in sections 8.8 through 8.15 of the EIS, but let me
12 just note here that LNG is a hydrocarbon and when it is
13 burned it will produce CO₂ which is a greenhouse gas.
14 However, the CO₂ emissions associated with burning
15 natural gas, especially in advanced combined-cycle
16 electric power plants are much, much lower than those
17 associated with burning coal. Gas produces little or
18 no sulphur oxides or dioxides or nitrogen oxides when
19 it burns. The data referred to in the Greenpeace paper
20 which was cited by the submittal assumes very different
21 characteristics to the LNG supply chain that would be
22 expected at Shannon LNG. For example, the Greenpeace
23 paper assumes that natural gas, which is being
24 converted to LNG, is produced from fields with very
25 high carbon dioxide contents. While these gas fields
26 can be found in the Pacific basin they are unusual in
27 the Atlantic or the middle eastern regions. The
28 shipping distances across the Pacific Ocean are vast
29 and much greater than the shipping distances over which

10: 49

10: 49

10: 50

10: 50

1 LNG would travel to Shannon and so result in the
2 production of much more CO₂ as a result of the ship
3 transportation. The comparison between gas and coal
4 fire plants in the Greenpeace paper are based on
5 advanced coal burning technologies using domestically 10: 50
6 produced coal in the United States. In order to make a
7 proper comparison in Ireland, which has no domestic
8 coal, the data would have to be revised to take into
9 account the CO₂ emissions associated with shipping coal
10 to Ireland. Finally, the analysis takes no account of 10: 51
11 the fact that West African LNG projects as well as
12 others are taking gas that otherwise would be flared as
13 a by-product of oil production and turning this waste
14 gas stream into LNG. The cited paper is, therefore,
15 inappropriately applied to the situation that would 10: 51
16 hold in Ireland.

17
18 The objectors claim that LNG is an obstacle to the
19 development of renewable energy and conservation.
20 However, they provide no support for this position. As 10: 51
21 demonstrated in the EIS and described earlier, the
22 movements towards wind energy in Ireland will require
23 additional gas fire generation to make up for the
24 unreliability of the wind. In any event this seems a
25 matter more for Government policy and Government policy 10: 51
26 in Ireland favours the development of LNG. As for the
27 future of possible gas-fired power plant at the site
28 which was also cited by the submitters that's a matter
29 for a separate planning review if and when such a

1 project is brought forward for planning permission.

2
3 Another submission said An Bord Pleanála should permit
4 additional comments from the public on the QRA, that we
5 should supply material safety data sheets on LNG and 10: 52
6 that the scale of facility is inappropriate on the
7 grounds of hazards. In the interests of full and open
8 disclosure we have made the QRA available to the public
9 both on our website and in hard copy to anybody who
10 requests it from the company's office in Listowel. In 10: 52
11 addition, the website also contains copies of all the
12 questions that were sent to Shannon LNG by the Health
13 and Safety Authority and our response is to issue those
14 questions. The issue of hazards is the subject of the
15 QRA and the assessment by the Health and Safety 10: 53
16 Authority and that will be covered in some detail by
17 future evidence in this proceeding in the modules that
18 we expect we will get to later today and tomorrow.

19
20 Another submission states that An Bord Pleanála should 10: 53
21 fund the objectors because they lack adequate
22 resources. Well, that's a decision for the Board. We
23 just note in passing that the cited report makes no
24 mention of Ireland except to refer to an earlier report
25 from the same group and makes no recommendations for 10: 53
26 the public funding of objectors in the planning
27 process.

28
29 Submission: The objectors again complain that the LNG

1 terminal would increase dependency on OPEC nations,
2 contradicting energy independence objectives. In
3 response we note several comments regarding that.
4 First of all, LNG is not necessarily produced by OPEC
5 countries. Major LNG suppliers including Trinidad, 10: 53
6 Egypt, Australia, Malaysia, Norway, Brunei, Oman,
7 Yemen, Russia and the United States are not members of
8 OPEC. Shannon LNG would also note that OPEC does not
9 address quotas for LNG or gas production as it does for
10 oil production. Shannon LNG is unaware of where it is 10: 54
11 the stated policy of the Irish Government to achieve
12 energy independence. The Government has a long-term
13 policy objective of generating round a third or about
14 30% of Ireland's electricity from wind power which as
15 noted previously will require extensive back-up from 10: 54
16 thermal generation plants. The remaining 70% will have
17 to be primarily generated from fossil fuels, most of
18 which must be imported. The balance of Ireland's
19 primary energy supply (transport fuels, other petroleum
20 products, LPG, natural gas and coal) must be imported 10: 54
21 or refined from imported product.

22
23 Finally, we simply note that we were not aware that the
24 Board had a mandate to consider energy policy as part
25 of the planning process, but we note, I think, that the 10: 54
26 policy itself is not as the objectors claim.

27
28 Another submission: The objectors claim that if the
29 Government is giving licences for gas exploration there

1 must be more gas in the country. Again I would note
2 the submission is without substance as the granting of
3 an exploration licence gives no assurance of gas
4 discovery. There may be the hope of more gas in the
5 country, but that does not translate into a guaranteed 10: 55
6 supply.

7
8 Submission: The objectors provided a list of SIGTTO
9 members and in some of their comments they noted that
10 Hess LNG was not a member of SIGTTO. The purpose of 10: 55
11 providing this was unclear, but I think it does
12 demonstrate that while Hess is not directly a member of
13 SIGTTO, its wholly owned subsidiary, Weaver's Cove
14 Energy, which is developing the project in the eastern
15 United States, is a member and is an active participant 10: 55
16 in the organisation and as a result Hess enjoys
17 directly all the benefits of the membership of SIGTTO
18 and we have active in many facets of the organisation's
19 activities.

20 10: 56
21 The final submission that I will discuss: Shannon LNG
22 is putting profit before safety, that was a submission
23 contained in a submittal by Bríd O'Brien. We have made
24 a commitment to ensure the safety and the protection of
25 the public, our employees and the environment. It is 10: 56
26 not an altruistic undertaking, but reflects sound
27 business practice in the realities of today's world.
28 There is no possibility of profit without safety.

1 Mr. Inspector, that concludes my evidence. I am very
2 glad to be here and we are very enthusiastic about the
3 prospects of the approval for this project and the
4 development of an LNG terminal in Ireland. Thank you.

10: 56

6 END OF SUBMISSION OF MR. GORDON SHEARER

7
8 INSPECTOR: Thank you, Mr. Shearer.
9 Mr. O'Neill, your next
10 contributor and what topic.

10: 56

11 MR. O'NEILL: My next contributor would
12 be Mr. Power again dealing
13 with site selection. I have three more contributors in
14 this module dealing with site selection, possible
15 offshore location and then dealing with the local,
16 regional and national policies, development plans etc.

10: 57

17 INSPECTOR: I think it might be
18 appropriate if we allowed
19 questions at this point, would it?

20 MR. O'NEILL: I am entirely in your
21 hands, confined I presume
22 simply to the need and the Irish Government policy
23 perhaps for LNG in this jurisdiction.

10: 57

24 INSPECTOR: Okay. Does anybody wish to
25 put questions to the
26 Applicants? Mr. McElligott.

10: 57

27 MR. McELLI GOTT: Yes.

MR. SHEARER WAS CROSS-EXAMINED AS FOLLOWS BY THE
OBJECTORS

1 Q. MS. GRIFFIN: Good morning, everybody.
My name is Catriona
Griffin. I have just got a few questions I want to ask
Mr. Shearer. Firstly, yesterday during Mr. Power's
presentation he mentioned that there was 60 years worth
of gas left in the world based on today's consumption
rates; however, Mr. Shearer has just said in point
No. 6 that the:

"Demand for natural gas is rising on a global basis and that by 2015 LNG supply to the Atlantic basin from current and committed liquefaction plants is expected to reach 50 billion cubic feet per day, almost three times in 2005 level."

I just want that point clarified please. If the consumption is going to treble by 2015 how can there be 60 years worth of gas left?

A. I will try to answer that as quickly and as briefly as possible. LNG represents today only about 10% of world gas supplies and it may rise to as much as 15% so most of the world's gases is consumed either in the country that produces it or is shipped by pipelines through to adjacent countries so LNG is actually a fairly small percentage of the world's gas supply so you have to look at the supply as a whole, not just the LNG component. On the second thing I think I made note

1 that the LNG industry had grown very rapidly between
2 1980 and 2005 and you will see in figure 4 that in 1980
3 the world had about 62 years of gas supply remaining
4 and in 2006 it had 62 years of gas supply remaining; in
5 other words, we are finding gas as quickly as we are 10: 59
6 using it or more quickly so we have been able to
7 maintain this level of gas reserves worldwide for 25
8 years even in the face of growing production.

9 2 Q. Right. So it is feasible to assume then that there
10 could be more gas located in Ireland as well if gas is 10: 59
11 being discovered as quickly as it is being used?

12 A. There certainly could be more gas in Ireland.

13 3 Q. My second question: In point No. 8 you mention that:

14 "The project is designed to include one
15 or two LNG storage tanks initially with 11: 00
16 up to four in total by the end of the
17 ten year planning horizon."

18 My question relate to the number of jobs that were
19 quoted in your brochures, it says up to 50 permanent
20 jobs are foreseen in the LNG plant, is that working on 11: 00
21 the assumption of four tanks or two tanks being in
22 operation?

23 A. I believe that was based on the initial assumption of
24 just one or two tanks in operation. Mr. Biggane will
25 cover that in some detail in his evidence. 11: 00

26 4 Q. I will forward to it. In response to a submission
27 Shannon LNG is controlled through an offshore company
28 and has not assets of note. Your response was these
29 accounts only represent a picture of the company at the

1 end of 2006. Is it possible to have a more up to date
2 financial picture of how Shannon LNG stands at the
3 moment?

4 A. That will be available when they are filed after they
5 are audited, they were filed at the Companies
6 Registration Office just as the 2006 figures were
7 filed.

11:01

8 5 Q. So we will have to wait for probably another year.
9 Question 4: You mention:

10 "Shannon LNG's interests in full and
11 open disclosure has made the QRA
12 available to the public both on its
13 website and in hard copy to anyone who
14 requests it from the company's office
15 in Listowel."

11:01

15 I have been trying to download the QRA from your
16 website since last September and I contacted your
17 secretary in the office in Listowel and said that the
18 QRA was not downloadable. I also contacted An Bord
19 Pleanála and spoke to Ms. Meehan and she said they
20 would look into the matter and get back to me. That
21 was last September, I am still not able to download the
22 QRA from your website and for the last week in fact
23 I am not able to get into your website at all?

11:01

11:01

24 A. I am sorry about that, but the hard copy was available
25 in the office.

11:01

26 6 Q. I have a computer at home, why should I have to go to
27 Listowel, either it's available on the website or it's
28 not available on the website?

29 A. I will leave that to Mr. Biggane. If we had contacted

1 the office I am sure they would have mailed you to
2 copy.

3 7 Q. Plus when I mentioned it I was told it would be looked
4 into, but the last time I was able to get into your
5 website about 10 days ago it said at the bottom "last 11:02
6 updated September 2007" so since then nobody has gone
7 into the website?

8 A. I don't know if that's the case, I am not an expert on
9 how the website is designed, we will have to leave that
10 question for somebody who has got computer expertise. 11:02

11 MS. GRIFFIN: That's all my questions.

12 8 Q. MR. McELLI GOTT: Hello, Mr. Shearer.
13 I was just reading in
14 section 5.0 about your experience in other LNG energy
15 projects, could you just confirm that you actually have 11:02
16 in no LNG importation terminal operating, Hess LNG?

17 A. You mean today we have no import terminal operating?

18 9 Q. Yes.

19 A. Yes. In that sense we are very similar to companies
20 like BP, ExxonMobil, Total, British Gas. 11:03

21 10 Q. Okay. So you have none?

22 A. We have none. Most companies with planned LNG
23 terminals have no LNG terminal operating experience.

24 11 Q. Okay.

25 A. By the way I should add and I would mention in 5 it's 11:03
26 not just the company's experience, it's the experience
27 of the staff and the people so I have extensive
28 experience. As you will see over the next few days
29 many of our staff members have very substantial

1 experience as well and that should be sufficiently
2 reassuring in terms of whether we know how to run LNG
3 terminals or not.

4 12 Q. Yes. It's the company itself really, individuals work 11: 03
5 in a team and sometimes they might have the experience
6 on their own, but when it's a new company project it's
7 the dynamics of actually having accomplished a full LNG
8 importation terminal, as a team together you have never
9 done it together?

10 A. Nor has many people. 11: 04

11 **MR. McELLI GOTT:** Right.

12 13 Q. **MR. KEARNEY:** I have a question, Adam
13 Kearney is my name. I just
14 want to know what the status is of the other LNG plant
15 you have proposed for Falls River? 11: 04

16 A. I have described that in my testimony.

17 14 Q. Yes, but what's the current status?

18 A. It is in permitting.

19 15 Q. Has the Coast Guard in the US not had a problem with
20 it? 11: 04

21 A. They have raised an issue on one particular aspect.

22 16 Q. Has that process stalled?

23 A. No.

24 17 Q. **MR. McELLI GOTT:** You said that there was no
25 safety issues in Fall 11: 04
26 River, your other LNG terminal, but isn't the issue
27 raised by the Coast Guard in fact a safety issue?

28 A. It has to do with the navigation of ships around an old
29 bridge which is obstructing the channel.

1 18 Q. Yes, so that would mean that the reason they have
2 objected or refused at a local Coast Guard level is
3 that that could cause an accident, correct?
4 A. They are concerned, they have expressed concerns about
5 the repeatable navigation of LNG ships through a very 11:05
6 narrow bridge.
7 19 Q. Would that not constitute a safety issue?
8 A. It's a concern, yes, which we have to address.
9 20 Q. Would it be considered a safety concern?
10 A. It's something we have to address. 11:05
11 21 Q. Would it be a safety concern?
12 A. Of course it's a safety concern, it's a concern to us.
13 22 Q. So, therefore, it is a safety issue?
14 A. I am not sure I understand.
15 23 Q. Because you said -- just a moment -- you say that the 11:05
16 Weaver's Cove project was found to be safe, secure and
17 environmentally acceptable by the FERC, but the Coast
18 Guard ruling reflects a narrow issue arising from the
19 existence of an old bridge which blocks the main
20 shipping channel so since you have now said that is a 11:06
21 safety concern that means that the project has not been
22 found to be safe, would you agree with that?
23 A. No.
24 24 Q. Okay. So if you say something is a safety concern for
25 one of the regulatory bodies then the project has not 11:06
26 been found to be safe, is that not correct, as it is
27 currently presented?
28 A. Let me try and describe the circumstances. I am not
29 quite sure of the relevance, but let me describe the

1 circumstances. The project was originally permitted,
2 in 2005 it was approved by the Federal Energy
3 Regulatory Commission with input and sign-off from the
4 United States Coast Guard. The project assumption and
5 the assumption of all of the regulators was that an old 11:07
6 bridge which was being demolished or scheduled to be
7 demolished and replaced across the river in the
8 shipping channel would be removed and that would create
9 a free passage for LNG tankers. That bridge has been
10 delayed and there is some legal obstruction to its 11:07
11 removal as a way of opposing the project and it's the
12 narrow issue of whether the LNG tankers can fit through
13 that bridge is the only issue that is currently before
14 the Coast Guard that adds any alteration to the
15 original findings of safety and security within the 11:07
16 project. Now if that bridge is ultimately removed the
17 project will in fact be safe and secure; if the bridge
18 is not removed then we have submitted modified or we
19 have both appealed the decision on safety findings and
20 we are also in the process of preparing and will submit 11:08
21 modified plans to address the specific safety concerns
22 of the Coast Guard in that circumstance.

23
24 I might note that the Coast Guard's own findings found
25 that while there could be an accident involving 11:08
26 interaction or a collision between the ship and a
27 bridge, that the concern was damage to the bridge not
28 damage to the ship because the Coast Guard actually
29 found in their own findings that there was almost zero

1 chance, in fact there was really no credible scenario
2 under which any collision between the ship and the
3 bridge would result in any spillage of LNG cargo
4 because of the double hull construction of the LNG
5 carriers.

11:08

6 25 Q. Doesn't that not mean so that currently as you have
7 proposed that project in Weaver's Cove, that currently
8 given this current set of circumstances there are
9 safety issues that have been found to be unacceptable
10 by one of the planning authorities there?

11:09

11 A. There is a safety issue in front of the Coast Guard
12 right now which we will need to resolve before we
13 proceed with the project.

14 26 Q. The second issue: You just said that the issue with
15 the bridge is only a problem of concern to damage to
16 the bridge, but is it not also a concern that because
17 it is stuck between two bridges that it could somehow
18 receive an explosion for instance, an attack because of
19 the situation in America, basically a terrorist attack?

11:09

20 A. I am not an expert on terrorism or explosions, but if
21 you have knowledge to that effect you need to raise it
22 with the US authorities.

11:09

23 27 Q. Because it is so close, a moving target is harder to
24 hit and it is stuck there between two bridges, there is
25 also those safety issues there?

11:09

26 A. I think if you had done your reading correctly what you
27 would find is the Coast Guard determined the issue was
28 a navigational safety issue, had nothing to do with
29 security and until the navigational problem is resolved

1 they will not address relating to security. Excuse me,
2 if I could finish, in the original determination issued
3 in 2005 the Coast Guard reviewed the security of the
4 shipping in question and found it to be acceptable with
5 appropriate mitigation. 11: 10

6 28 Q. **MR. KEARNEY:** Could you tell the hearing
7 why public representatives
8 like Senator John Kerry and Senator Edward Kennedy are
9 opposed to the project?

10 A. Because the mayor of the city is opposed to the 11: 10
11 project.

12 29 Q. I am asking you why they are opposed to the project?

13 A. Because the mayor of the city is opposed to the
14 project.

15 30 Q. Are they not opposed to the project because they are 11: 10
16 representing a large community in the area who are also
17 opposed to the project on safety concerns?

18 A. No. I have told you they are opposed to the project
19 because the mayor of the city is opposed to the
20 project. 11: 10

21 31 Q. Surely they have their own mind?

22 A. I will tell you I met with a representative of the
23 United States Congress called Congressman Frank and he
24 said 'I don't care about the project, as long as the
25 mayor of the city is opposed I am opposed, thank you 11: 10
26 very much, end of meeting'.

27 **MR. KEARNEY:** A rather simplistic answer.

28 32 Q. **MR. McELLI GOTT:** What percentage of the Fall
29 River residents actually

1 involves the planning process. When FERC issues its
2 authorisation it issues its authorisation with a series
3 of conditions. I think in the project in the US we
4 have 78 conditions which include finalisation of
5 permits from a series of other agencies, federal, state 11: 13
6 and local. We are in the process of acquiring those,
7 but it signed off on the project as being fully
8 acceptable with both the conditions being met and with
9 appropriate mitigation measures it would be included
10 within those conditions. 11: 13

11 35 Q. **INSPECTOR:** Was one of those conditions
12 specifically in relation to
13 the removal of the bridge or if not that was it a
14 requirement that you would satisfy the requirements of
15 the Coast Guard? 11: 13

16 A. It's a requirement that we satisfy the safety concerns
17 of the Coast Guard and we are in the process of dealing
18 with that issue and the complexity is that the bridge
19 was scheduled for demolition and now it is not.

20 **INSPECTOR:** Okay. Thank you, 11: 13
21 Mr. Shearer.

22 36 Q. **MR. McELLI GOTT:** How long has that planning
23 application been going
24 through in Fall River?

25 A. Oh, let me see, the process started in 2003 or 2004. 11: 13

26 37 Q. So that's about four or five years. You would expect
27 that a planning application stage to the actual
28 construction phase would take about four or five years
29 to go through the planning process; is that correct?

1 A. Mr. Inspector, the time period that an application in
2 the US goes through the planning process is affect by a
3 lot of different things. Some of them go through in as
4 little as 12 months, some of them go through in as long
5 as -- I can't even think what the longest one has been, 11: 14
6 six or seven years.

7 38 Q. What went through in 12 months?

8 A. Sorry, was that a question, Mr. Inspector?

9 39 Q. Yes. I am just wondering what LNG importation terminal
10 went through in twelve months? 11: 14

11 A. Several of the terminals I said in the Gulf of Mexico
12 have been approved in periods from filing their
13 authorisation with the federal Government to I think
14 12 to 18 months.

15 40 Q. Could you just give us the specific terminal please? 11: 15

16 A. I can't remember the specific terminals, they are all
17 in the public domain.

18 41 Q. Was it an offshore terminal or was it an onshore
19 terminal, do you think?

20 A. The offshore terminals have a requirement to be 11: 15
21 approved within a twelve month period, that is actually
22 statute set down in the authorising legislation so they
23 are required from filing their application for approval
24 in twelve months. Many of them have been approved,
25 virtually all of them have been abandoned. Offshore 11: 15
26 LNG terminals have proven to be both technically and
27 commercially extremely difficult and it's fair to say
28 they are increasingly commercial failures.

29 42 Q. I just want to know what are the main concerns that are

1 faced at the planning application stage in America from
2 your experience, what are the main concerns of the
3 planning authorities that you are finding, what's the
4 biggest obstacle that you have to face?

5 A. Mr. Inspector, I think the biggest obstacle one faces 11: 16
6 is the aspect of dealing with the public concern over
7 safety of LNG and especially in a post 9/11 world and
8 it is a very easy issue to inflame public opinion.
9 I have been to numerous public meetings and
10 presentations where the discussion of LNG facilities 11: 16
11 opens with a picture of the World Trade Centre being
12 hit by aircraft as if that was some analogy that ought
13 to be taken into account in LNG planning. The issue of
14 LNG safety is a complex one, it's highly technical,
15 it's very easy to stir up public emotion by comparing 11: 16
16 LNG to nuclear bombs, to terrorist targets, it's very
17 hard to prove the opposite because most people are not
18 willing to study and analyse the technical aspects.
19 It's also fair to say that the planning structure in
20 the United States follows a different process than it 11: 17
21 does in this part of the world and, therefore, I really
22 cannot make a comparable analogy between the two. We
23 have no function like the HSA in the United States that
24 would perform independent risk assessment, that is
25 actually done by the Federal Energy Regulatory 11: 17
26 Commission within its planning mandates.

27 43 Q. **MR. KEARNEY:** Is it fair to say that if
28 there is concerted local
29 operation to an LNG project in the US that the process

1 could be prolonged for up to five or six years?

2 A. It is certainly fair to say if there is concerted
3 opposition to any project of any controversy anywhere
4 in the world the process can be prolonged both by
5 manoeuvring the administrative process and then through 11: 17
6 the process of legal appeals subsequent to that.

7 44 Q. I am specifically referring to the LNG plants in the
8 United States?

9 A. Yes, it's true of LNG plants in the United States and
10 LNG plants in Italy, Spain and France. 11: 18

11 45 Q. **MR. McELLI GOTT:** Okay. Can I move on to the
12 next question please. In
13 section 8.0, it is about the second paragraph about
14 constructing initially up to four, one to two initially
15 and then up to four tanks over a period of ten years. 11: 18
16 Now, this has given rise to a lot of concern locally
17 because at the Kerry County Council meeting it was
18 described that you were planning to blast possibly for
19 the four tanks with explosives or to do blasting of the
20 rock because you could not do the tanks that you would 11: 18
21 develop at a later stage, you could not use explosives
22 if the original two tanks were already built and I am
23 just wondering do you think it is reasonable to expect
24 that construction will go on over a ten year period,
25 that seems like a very long construction period for 11: 19
26 people to actually have to put with?

27 A. I think that's a question best addressed in the
28 construction section of this.

29 46 Q. There is no construction section, is there, module?

1 A. It will be part of the next module.

2 MR. O'NEILL: We will be leading evidence

3 under the other planning

4 matters, visual impact, roads and traffic, noise and

5 vibration, dust etc. 11: 19

6 INSPECTOR: It seems like it is coming

7 up later.

8 47 Q. MR. McELLI GOTT: I have another question.

9 There is a problem I don't

10 understand. Who will own the gas when you purchase it 11: 19

11 at source, will it be owned by Shannon LNG at the

12 purchase point or at the point at which it delivers the

13 gas and it is unloaded?

14 A. It could be either or neither.

15 48 Q. INSPECTOR: Can you elaborate on that? 11: 20

16 A. I certainly can. It is possible that Shannon LNG will

17 buy or an affiliate of Shannon LNG will buy LNG at a

18 liquefaction plant and arrange the shipping of that LNG

19 itself. It is also very possible that Shannon LNG will

20 arrange to purchase LNG and deliver on what's called an 11: 20

21 ex-ship or CIF basis, that is delivered to the terminal

22 by a third party.

23 49 Q. MR. McELLI GOTT: Okay. You talk here about

24 carbon emissions, that it

25 varies from different sources of the LNG. I am kind of 11: 20

26 worried about the idea that depending on the origin of

27 the LNG you can have different chemical mixtures and

28 will you have one source of supply of LNG from Qatar or

29 will you just have LNG coming from different sources?

1 A. Mr. Inspector, I think I explained our objective is to
2 secure long-term supplies and then as opportunity
3 presents itself we will hopefully be able to buy other
4 supplies of LNG for the facility as well. We are not
5 limiting ourselves to dealing with one specific 11: 21
6 supplier.

7 50 Q. Again that won't make a difference when you are
8 actually putting the LNG into the storage tanks if it
9 comes from two different sources?

10 A. As far as I am aware it shouldn't make any difference 11: 21
11 at all.

12 51 Q. **INSPECTOR:** Just to clarify that. You
13 are putting in different
14 gas mixes into the tanks and is it the case that only
15 when you take it out of the tanks and put it into the 11: 21
16 grid that at that point you analyse it and make sure
17 that it is compatible with the grid?

18 A. Mr. Inspector, that's a very good question. I am not a
19 great expert in this area. I will endeavour to answer
20 you now in the interests of satisfying the question and 11: 22
21 there are some other people coming up later that will
22 really be precise on that. LNG has different
23 compositions, although not widely different,
24 particularly in the Atlantic basin. When you bring
25 different qualities of LNG from different sources, you 11: 22
26 know what the composition of the LNG is as you actually
27 load it onto the ship, it is specified in contractual
28 terms, you know what it is going to be when it comes
29 off the ship. Then when it is brought into the tanks

1 onshore it may be very close in which case you do
2 nothing with it. If it's very slightly you may need to
3 stir it up like a cake mixer, you circulate the LNG to
4 make sure it is all uniform quality and then you know
5 the LNG quality in the storage tanks and then you can 11: 23
6 predict the quality of the gas delivered that will be
7 to the grid and if there is ballasting needed with
8 nitrogen or other inert gases, as we propose in the
9 project here, you will know what that needs to be in
10 order that the gas when it is delivered to the pipeline 11: 23
11 grid is fully compatible with Bord Gáis gas supply in
12 Ireland.

13 52 Q. **INSPECTOR:** The stirring, if you like,
14 takes place on the ship?

15 A. No, The stirring would take place on the shore tanks, 11: 23
16 if necessary. It's not normally necessary, but it can
17 be in unusual circumstances, but I think one of the
18 technical, either Mr. Bowdoin, would be a much better
19 person to respond to that question.

20 **INSPECTOR:** Okay. 11: 23

21 53 Q. **MR. McELLI GOTT:** I notice there in the
22 question of Eileen O'Connor
23 on whether an LNG terminal in Ireland should be
24 developed by a state owned company, you have made a
25 comment that Bord Gáis Éireann has made a commercial 11: 24
26 decision because in the Government's Green Paper Bord
27 Gáis Éireann noted:

28 "We recognise that the development of
29 an efficient scale LNG facility will be
challenging during the life of Corrib

1 if viewed in an Ireland only context."

2

3 How can Bord Gáis not make a profit and how can you
4 make a profit?

5 A. You would have to ask Bord Gáis that question.

11: 24

6 54 Q. My point is that we can only go by what the
7 Government's Green Paper noted saying that you are not
8 viewing this project on an Ireland only basis, that you
9 have an international basis in looking at this project
10 because that's the only interpretation I can give to 11: 25
11 that, Bord Gáis Éireann would only be looking on an
12 Ireland only basis?

13 A. Mr. Inspector, I don't have in front of me the language
14 from the Green Paper to which Mr. McElligott is
15 referring. All we have noted here is what Bord Gáis 11: 25
16 stated in its submittal to the Government in relation
17 to comments on the Green Paper before the White Paper
18 was developed.

19 55 Q. **INSPECTOR:** Can you deal with his
20 implication that the fact 11: 25
21 that Bord Gáis is not interested may suggest that you,
22 at least in the short-term, are thinking of an export
23 market?

24 A. If that's the implication, I think that the material 11: 26
25 and information that Mr. Power demonstrated yesterday
26 which is this gap between what Corrib will provide and
27 what we expect to be able to supply demonstrates that
28 we have a different view of what the market evolution
29 might be than Bord Gáis does. We have different

1 commercial drivers than Bord Gáis does, we have
2 different commercial assessments than Bord Gáis, we
3 have more experience in the LNG industry than Bord Gáis
4 does. At this point there is no intent in respect of
5 this project to supply gas from Shannon LNG to the UK. 11: 26
6 In order to do that you would actually physically have
7 to reverse the flow of the interconnector pipeline
8 system between Ireland and the UK. Right now it's a
9 one way system, it's a one way street, if you like,
10 that it only flows from off it. 11: 26

11 56 Q. **MR. McELLI GOTT:** I was thinking more that
12 you are viewing the
13 terminal as a place that you would supply gas to
14 sometimes but not all the time so that you can sell it
15 when you make a bigger profit there, but you do have to 11: 27
16 sell it when you do not have a profit there so that is
17 why Bord Gáis would say that at the moment it is not
18 interesting for Ireland to have an LNG terminal because
19 of with oncoming of Corrib the need for an LNG terminal
20 on an strategic Ireland perspective, they do not see 11: 27
21 the commercial need for that?

22 A. Mr. Inspector, if I could respond to that in a couple
23 of dimensions. First of all, I am not an expert in
24 European competition law, but it's my understanding
25 that the European Union would actually frown on Bord 11: 27
26 Gáis developing and owning an LNG terminal. It is
27 pressing all other European utilities with LNG
28 operations to divest themselves of those operations or
29 to functionally unbundle them and to offer third party

1 open access because it sees that an incumbent market
2 operator, and Bord Gáis is the incumbent market
3 operator with an absolutely dominant near monopoly
4 position in Ireland, adding an LNG terminal to their
5 portfolio would not bring any competition to the Irish 11: 28
6 market and in fact it's not clear to me that Bord Gáis
7 would actually survive a challenge to that or if it did
8 develop a terminal it would, as in the case of the
9 national grid in the UK, as is the case of the
10 operators in the Belgium network would be required to 11: 28
11 unbundle that terminal and offer it up to what is
12 called a third party open access régime which is a much
13 less certain, a much more speculative process. It has
14 caused all sorts of problems with the Isle of Grain
15 terminal in the UK from a commercial perspective so 11: 29
16 I think there are some policy and legal obstacles that
17 Bord Gáis would face.

18
19 It is also possible Bord Gáis then would see that
20 terminal as providing an avenue for new competition in 11: 29
21 the market in which it enjoys a reasonably comfortable
22 existence today and this might actually bring
23 competition that was not in Bord Gáis' view the best
24 thing. I can only speculate on that, you would have to
25 ask Bord Gáis that question. 11: 29

26 57 Q. Okay, thank you. I have another question. At the last
27 public meeting held by Shannon LNG in Tarbert I asked a
28 question about the SIGTTO, which is the Society of
29 International Gas Tanks and Terminal Operators, the

1 documents that they print are documents of standards of
2 best practice and I raised a few issues about where
3 I thought that the proposed terminal at Shannon in
4 Tarbert contradicted or not did not fulfil the
5 standards that were expected or recommended in the 11: 30
6 SIGTTO document. Now the SIGTTO document is a
7 standards of best practice and you have stated that you
8 will use all standards of best practice, but I think it
9 was Mr. Blair that said at the meeting that the SIGTTO
10 document is only a wish list of what we would like to 11: 30
11 have in the perfect terminal set-up in the site
12 selection so my question to you is do you think that
13 that is actually showing a willingness to apply all
14 best practice recommended by SIGTTO or just to apply
15 them when you can? 11: 31

16 A. Mr. Inspector, Mr. MacIntyre who is the shipping expert
17 will be giving evidence on that. As a long-term member
18 and former officer of SIGTTO he is far better
19 positioned to answer that than I will be so I would
20 respectfully suggest that we hold that question until 11: 31
21 he is presenting his evidence.

22 58 Q. Mr. MacIntyre is sitting behind you, isn't he?
23 A. I believe he is.

24 **INSPECTOR:** Let's take Mr. MacIntyre
25 when he is speaking. 11: 31

26 59 Q. **MR. McELLI GOTT:** Okay. I just want to
27 reinforce the point that
28 you have said that you would apply best practice and
29 best standards, but when the SIGTTO documents say

1 otherwise you are not going to apply them in all cases
2 and this has an implication because the implication is
3 that the LNG industry has always declared that it has a
4 perfect safety record and from my point of view it has
5 such a good record because it is applied best practice 11: 32
6 up to now, but because for instance in America you are
7 going from a period of four LNG terminals to now there
8 is planning applications going in for approximately 50
9 LNG terminals that there is such a rush to develop them
10 that there is a higher risk of mistakes being made 11: 32
11 because the standards and best practice are no longer
12 being applied to the highest level and I am just
13 wondering would that be Hess LNG's opinion or would you
14 agree to just cut corners if SIGTTO standards of best
15 practice were not being applied? 11: 33

16 A. Mr. Inspector, I already said Mr. MacIntyre will speak
17 to that point, but I will make one observation and
18 I think Mr. MacIntyre will be able to speak to this
19 more exactly. I believe a large number of terminals in
20 the world would not actually meet the "interpretation" 11: 33
21 of best practice that Mr. McElligott is suggesting
22 here. Notwithstanding that they are not precisely in
23 compliance with every single attribute of these
24 guidelines -- and I might note they are guidelines,
25 they are not regulatory requirements or standards -- 11: 32
26 that the industry has nonetheless enjoyed, as he said,
27 the perfect safety record. Or I would rather say it
28 was a near perfect safety record. From the public's
29 perspective it is perfect.

INSPECTOR: Okay.

MR. J. McELLI GOTT: Can I go on to the next question please. We requested additional documents in our submission and we had asked for MSDS sheets, that is the Material Safety Data Sheet and HAZOPS and they have never been provided. Your response has been that the QRA has been made available to the public, but we never got the MSDS sheets, because they are being used for assessment by the HSA. If the HSA even got them. My question is: Why have those MSDS sheets and HAZOPS not been given to the general public when they were requested?

MR. SHEARER: Mr. Inspector, to the best of my knowledge, there has been no requirement yet from the HSA to be provide HAZOPS. But I think that Mr. Bowdoin, who will be speaking on the terminal design and construction, and our safety experts can answer that question far better than I can. I am not aware that the HSA requested Material Safety Data Sheets, it is my understanding that those are, as far as Material Safety Data Sheets for methane and other hydrocarbon gases, are available readily on the internet.

MR. J. McELLI GOTT: Yes, but the HAZOPS that you would be applying might not all be the same; is that correct?

MR. SHEARER: I am not an expert on HAZOPS, Mr. Inspector. We have somebody coming up who can discuss that in great

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MR. SHEARER: I am not an expert on HAZOPS, Mr. Inspector. We have somebody coming up who can discuss that in great

1 detail.

2 **MR. J. McELLI GOTT:** There is a final question
3 and it is about An Bord
4 Pleanála should fund the objectors because they lack
5 adequate resources. You have replied that the Ahango 11: 35
6 report makes no mention of Ireland, except to refer to
7 an earlier report from the same group, and makes no
8 recommendations for the public funding of objectors in
9 the planning process. I would just like to point the
10 attention of the Inspector that Ireland is a signatory 11: 35
11 of the Aarhus Convention and, even though it has not
12 formally ratified it, however, the European Union is
13 also a signatory and, consequently, EU Environmental
14 law is already applied.

15 **INSPECTOR:** Mr. McElligott, could you 11: 35
16 just give us the name of
17 that thing that we are signatory to.

18 **MR. J. McELLI GOTT:** The Aarhus, A-A-R-H-U-S.
19 the Aarhus Convention.
20 Aarhus actually. Aarhus. What we noticed, and I think 11: 35
21 it is very interesting, that the applicability of the
22 Aarhus Convention to Ireland was clarified by the
23 Compliance Committee of the Aarhus Convention just last
24 October, 21st, and they discussed in case
25 2006/17... (INTERJECTION) 11: 36

26 **INSPECTOR:** Can you speak more clearly
27 and slowly, please?

28 **MR. J. McELLI GOTT:** I usually talk very fast,
29 but this is very slow. The

1 Compliance Committee of the Aarhus Convention clarified
2 the position that Ireland has to take on the 21st
3 October, 2007, following a meeting that was held in
4 Geneva in September. They said it as follows:

5 "That the Community, in 26 of the 27
6 current Member States, are parties of
7 the Aarhus Convention, Ireland being
8 the only Member State which is yet to
9 ratified. The need for ratification or
10 parallel approval by the community and
11 the Member States is explained *inter*
12 *alia* by the fact that the community on
13 its own is not in a position to
14 guarantee full compliance with all the
15 Convention's provisions, such as
16 article 8. As already explained, the
17 Aarhus Convention became an integral
18 part of community law through the
19 Council decision of 17th February,
20 2005. As a result, although it is not
21 a party to the Convention, Ireland will
22 be obliged to respect the commitments
23 arising from the Convention where they
24 concern provisions falling within the
25 competence of the Community. Thus, the
26 fact that Ireland has not yet ratified
27 the convention does not affect the
28 commitments undertaken by the
29 Community, the scope of which has been
explained above".

11: 36

11: 37

11: 37

20 This is just to signify that sometimes the Irish
21 planning authorities use the fact that we have not
22 ratified the Aarhus Convention. But this latest
23 clarification by the Compliance Committee of the Aarhus
24 Convention says that Ireland has a duty to the
25 directives that the European Community has signed up
26 to, which includes the environmental directives,
27 updated following the Aarhus Convention Directive, that
28 we have a duty to comply with all the updated EIA
29 directives. So, that would go against the submission

11: 38

11: 38

1 that people should be funded and have timely access to
2 information and speedy access to justice in
3 environmental matters, and affordable access to
4 justice. We have been denied affordable access to
5 justice, because we have no funding. We do not have
6 any top counsel and all that. So, just to point that
7 out.

11: 38

8 **INSPECTOR:** I don't think that's a
9 question for you, Mr.

10 Shearer.

11: 39

11 **MR. J. McELLI GOTT:** No, but he replied to the
12 question and he gave his
13 response, so I have to contradict that.

14 **MR. SHEARER:** My reply, Mr. Inspector, in
15 his submittal was one
16 specific report which was cited in the Kilcolgan
17 Residents submittal, which is not "Our House" it is
18 this Ahango Group that he cited as a source that
19 required Ireland to fund these. That's all.

11: 39

20 **MR. J. McELLI GOTT:** Thank you. I have one
21 final question. Shannon
22 LNG is giving no assurances of supply and we were
23 asking about the possibility of enforcing -- that's not
24 to say that we agree with this whole project -- but
25 that the Board would consider a use it or lose it
26 condition. Because, for instance, I think last year
27 there was some problem in Teesside, where 10% of the
28 gas was unloaded onto a terminal and then the price of
29 gas changed in the stock market and the rest of the gas

11: 39

11: 39

1 was exported to America. Something like that. So,
2 there is a problem going on about use it or lose it
3 conditions and that Shannon LNG here say that they
4 expect that -- I think they said something here that
5 they expect a possible -- something similar. Yeah,
6 that Shannon LNG expects something similar may be
7 required in this case. So the question is: When you
8 say they expect it, for us to have a use it or lose it
9 condition, that you do not object to us putting in a
10 use it or lose it condition?

11: 40

11: 40

11 **MR. SHEARER:** If I might respond,
12 Mr. Inspector. The concept
13 of use it or lose it is a concept that is under, I
14 would say, active development within the European Union
15 energy policy sector. It is generally something that
16 is reviewed as a condition of third party access
17 exemptions for LNG terminals such as the terminals in
18 Milford Haven and on the Isle of Grain. Those
19 conditions would be imposed by the CER, subject to
20 review by, I think it is DG Trends is the European
21 Commission with final oversight of that. And so that
22 is something that would become part of our approval
23 process for third party access exemption if and then we
24 file -- well, we are going to file that with the CER.

11: 41

11: 41

11: 42

25
26 Let me also add, in the context of the Teesside thing,
27 it illustrates a very interesting issue of some of the
28 alternatives. That is an LNG terminal that is not
29 really a terminal, it involves tying a ship up to the

1 jetty, but only a ship with onboard regasi fication, of
2 which there are only 3 or 4 in the world out of 230 can
3 call in there. So, if that ship is not able to deliver
4 its cargo, for whatever reason, that terminal is not
5 accessible to any third party, so the concept of use it 11: 42
6 or lose in the context of that terminal has absolutely
7 no meaning, because there is not enough ships to supply
8 it. And I think it illustrates that the issue, that we
9 will discuss in more detail later on, that some of
10 these alternatives that are touted as being a solution 11: 42
11 in fact have multiple problems of their own.

12 **MR. J. McELLI GOTT:** I was thinking more of on
13 an Ireland perspective, to
14 have a strategic supply of LNG coming in, that Ireland
15 could say 'you must supply us with LNG' and that would 11: 43
16 force you to hedge the price in the future markets --
17 to hedge the future price of LNG so that it would
18 buffer our exposure to price fluctuations. So that it
19 would be more reasonable from an Irish perspective to
20 enforce an obligation to supply to the LNG terminal at 11: 43
21 prices that were either fixed in the present or in the
22 future.

23 **MR. SHEARER:** Mr. Inspector, if I can
24 respond to that. In the
25 first case, I believe that any country in the European 11: 43
26 Union trying to impose limitations on the supply of
27 natural gas would be in violation of several EU
28 Directives. But this case arose very recently, in
29 fact, in Europe, where both Algeri an pipeline gas and

1 LNG supplies and Russian pipeline gas contracts
2 contained provisions that, basically, limited where the
3 gas that was supplied under those contracts could be
4 supplied. So, for example, Algerian LNG contracts with
5 France limited the resale of that gas within the 11: 44
6 borders of France. Likewise, Russian contracts with
7 Germany limited the resale of that gas within Germany.

8
9 Those cases were taken up by the EU Commission in a
10 very contentious dispute with both Russian and Algeria, 11: 44
11 some of which I don't think is fully resolved yet, and
12 they are attempting to force the incumbents to re-write
13 those contracts to allow free and liberal market access
14 of the those supplies. I think it is unrealistic to
15 think that in that environment a member of the EU would 11: 44
16 be able to find a supplier who thought they would not
17 be in violation of EU law by entering into those types
18 of contracts. So, I think it is a commercial and legal
19 impossibility to meet that kind of standard.

20 **MR. J. McELLI GOTT:** The points you just 11: 45
21 referred to there were
22 about the onward sale of gas. But if Ireland had no
23 objection to that gas going elsewhere then we could
24 enforce those provisions.

25 **MR. SHEARER:** Mr. Inspector, one could 11: 45
26 certainly attempt to find
27 suppliers that would be willing to live with that
28 condition. In my experience, that would be impossible
29 in the market environment in which we operate today.

1 The notion that if gas prices were staggeringly low in
2 Ireland, for whatever reason, and that suppliers should
3 be compelled to supply into a market that was already
4 oversupplied, when there were other markets looking for
5 the product, that's just not commercially realistic. 11: 45

6 It would never happen. The only way to ensure that
7 would be for the Irish Government to go out and,
8 basically, agree that it would pay a price above any
9 other buyer of LNG in the world and guarantee to do
10 that. Which in turn will certainly guarantee that the 11: 46
11 Irish consuming public will pay a price for energy in
12 excess of any other LNG importer in the world.

13 **MR. J. McELLI GOTT:** Does that not so mean that
14 if ever there is a crisis
15 of gas supply in the future it would be the richer 11: 46
16 countries and the bigger economies, like china and
17 America, that can pay the big prices for gas. So it is
18 not guaranteeing that Ireland could cope with those gas
19 prices.

20 **MR. SHEARER:** Mr. Inspector, my response 11: 46
21 to that is whether Ireland
22 receives its gas supply by pipeline or in the form of
23 LNG, or even in the form of domestic gas production, as
24 it would in the case of Corrib, the price of gas is
25 increasingly subject to international market forces and 11: 46
26 there is no way to insulate any consuming country from
27 those market forces, that I am aware of. And
28 generally, that kind of Government intervention is
29 doomed to failure.

1
2 However, I would note, as I noted in my remarks, that
3 Ireland represents a potential very small component of
4 the world's market. So relative, let's say, to other
5 areas, Ireland could in fact access that marketplace 11: 47
6 with less disturbance than, let us say, the United
7 States or China or Japan could. And, therefore, I am
8 much more confident that Ireland will be able to secure
9 those supplies it needs on terms that are at market
10 base conditions, which is the terms that are prevailing 11: 47
11 on a worldwide basis.

12 **MR. J. McELLI GOTT:** Okay now, at the moment,
13 since there are less LNG
14 importation terminals in the world than will be in the
15 future, does that mean that the price of LNG does not 11: 47
16 fluctuate as quickly or change as rapidly as it does,
17 say, for petroleum products? What I am thinking here
18 is that the more LNG terminals you have you are
19 creating a commodity product that will move in price as
20 quickly as petroleum. Whereas at the moment you have a 11: 48
21 product which does not change prices that quickly.
22 Would that be correct?

23 **MR. SHEARER:** Mr. Inspector, I will
24 respond to that in two
25 ways. It is true that the number of import terminals 11: 48
26 around the world is growing. It is also true the
27 number of export terminal and the capacity of existing
28 export facilities around the world is also growing.
29

1 The second thing I would observe is that natural gas is
2 already a commodity, it is a commodity that is traded
3 freely on the commodity markets in the United States,
4 in the UK and to an increasing extent in continental
5 Europe. It is not a commodity type product in the Far 11: 48
6 East because the markets are not liberalised and open
7 as matter of policy at this time.

8
9 Once you create a commodity market you are subject to
10 market forces. We cannot obviate and we cannot ignore 11: 49
11 that and we cannot stop that. What, in my experience,
12 though is the case is that while there may be a market
13 that reflects daily or monthly price conditions, such
14 as The National Balancing Point Market in the UK, that
15 market is either often driven or influenced by 11: 49
16 financial players rather than people who are physically
17 buying and selling gas and, in fact, a very small
18 proportion of the gas that is ultimately sold and
19 delivered on a physical basis is subject to those kind
20 of wild gyrations. There is no question that there 11: 49
21 will be a long term influence. But, also, I think it
22 is fair to say that in the market offerings that gas
23 suppliers in the US and in the UK make to their end
24 consumers, that is the residential customer, just by
25 the nature of the business, they generally offer fixed 11: 50
26 or firm prices for extended periods of time, even
27 though the underlying commodity they are purchasing may
28 be fluctuating and gyrating. Very different than the
29 petrol market, where your petrol station can change the

1 price on a daily or weekly basis. It is very difficult
2 to do that in a natural gas market. For one thing, the
3 gas companies don't read the gas metres every day. So
4 that you only can read the gas metre once a month so
5 you can't possibly calculate the daily consumption and, 11: 50
6 therefore, apply any kind of daily price fluctuation.

7
8 I mentioned the situation in the UK. Where, yes, there
9 is an affect on the UK market of high oil and gas
10 prices in Europe and that's resulting in increases in 11: 50
11 natural gas prices at the consumer level in the UK.
12 But those tend to happen on widely spaced intervals,
13 every 6 to 12 months. And I believe, and i am not an
14 expert in this area, but I believe similar dynamics are
15 also seen on the Irish and Northern Ireland markets. 11: 51

16 **MR. J. McELLI GOTT:** And currently so in the
17 European market, our
18 prices, do they tend to be bought at the current market
19 prices or do they generally, and the other LNG
20 importation terminals, do they generally fix a price in 11: 51
21 the future, at the moment? Do they try to go into the
22 future, fix the price for a future supply of gas?

23 **MR. SHEARER:** Mr. Inspector, I am not
24 quite sure I understand the
25 question. I will try and answer what I think the 11: 51
26 question is.

27
28 Any company that is buying or selling natural gas or
29 LNG, and let's just stick to LNG, will often purchase,

1 and particularly in the European environment, the LNG
2 is normally purchased under long term contracts,
3 oftentimes with a price that is fixed with reference to
4 the price of petroleum products -- either crude oil, or
5 heating oil, distillate oil, No. 2 oil or heavy fuel 11: 52
6 oil -- and that price is adjusted on a quarterly or
7 other interval basis. However, that buyer is then in
8 no way constrained, the LNG buyer is no way constrained
9 from going into the financial markets and taking
10 whatever financial decisions, in terms of commodity 11: 52
11 hedging or speculation, depending on which one you are
12 more interested in, in terms of using that to affect
13 their realised or realisable price on a financial
14 basis. And in turn, their decision, as I described in
15 my last response, to sell into a consumer market does 11: 52
16 not reflect necessarily their decisions as far as
17 anything they may have done on the financial or
18 commodity side of the business. And oftentimes they
19 see the financial side is offering them a competitive
20 advantage. So, where British Gas, maybe, is seeking to 11: 53
21 raise its gas prices in the UK by 15%, I believe I read
22 that one of their competitors is seeking an increase of
23 only 7%. Presumably, they have been able to find a way
24 of mitigate those price rises, by either physical
25 transactions they had undertaking on financial 11: 53
26 transactions they had undertaken.

27 **MR. J. McELLI GOTT:** When they do that fixing
28 does that guarantee them a
29 supply of the LNG as well?

1 MR. SHEARER: Mr. Inspector, the issue of
2 the terms and conditions
3 for the supply of LNG are issues that are generally
4 written into the supply contracts between the LNG buyer
5 and the LNG supplier. The decisions to enter into the 11: 53
6 financial markets by and large, in my experience, are
7 decisions that are made independent of those decisions.
8 Obviously -- it is not obvious, maybe to me it might be
9 and maybe I should explain. If we enter into a 20 year
10 contract for the purchase of LNG we cannot go into the 11: 54
11 financial market and hedge that forward for 20 years.
12 There is no such financial instrument that exists.

13 MR. J. McELLI GOTT: But would the supply be
14 guaranteed?

15 MR. SHEARER: Mr. Inspector, the LNG 11: 54
16 supply terms and conditions
17 are a function of the terms and conditions imbedded in
18 the LNG supply contract, which is a matter of
19 commercial negotiation between the buyer and the
20 seller. They can vary for all sorts of reasons and 11: 54
21 they it can have all sorts of exceptions and conditions
22 attached to them. One example would be force majeure.
23 We have an incident with a ship that's delayed by
24 weather, there is a pipeline break somewhere, you can
25 come up with all sorts of examples of what they call 11: 54
26 "acts of God" that might result in the temporary
27 suspension of deliveries.

28
29 There can be commercial considerations in contracts,

1 and these are varied and many, that could change the
2 rate of flow of LNG supply. For example, Ireland has a
3 much stronger or a much more pronounced need for
4 natural gas in the wintertime, as you might imagine,
5 and less in the summertime. So, it may well be that an 11: 55
6 LNG supply contract for Ireland would incorporate a
7 different level of delivery and purchase obligation in
8 the winter period and a much lesser one in the
9 summertime, when the island market cannot absorb the
10 entire throughput potentially. 11: 55

11
12 That's one of the reasons, for example, that you will
13 see in our submissions and in our comments or evidence
14 in the EIS, this flexibility of regasification that is
15 at the facility. Yes, it is designed to provide 400 11: 55
16 million cubic feet of natural gas a day to the Island.
17 But it is also designed to be able to raise that very
18 rapidly and at very short notice to 50% more. 600
19 million cubic feet a day. That would reflect, for
20 example, market conditions, which very often in this 11: 56
21 part of the world, as you might imagine, and influenced
22 by northwest Europe, are driven by the weather. We
23 have a warm stretch of weather, prices will come down.
24 If we have a very sustained cold period of weather
25 prices will tend to jump up. That's the experience in 11: 56
26 the American market, it is the experience in the
27 European market. Increasingly, the UK market is
28 characterised by very low prices in the summer and very
29 high prices in the winter.

1 **MR. J. McELLI GOTT:** Who will own the LNG
2 when it is put into the
3 storage tanks? Will it be Bord Gáis? Will it be Irish
4 owned at that stage? Or will it still belong to
5 Shannon LNG? 11: 56

6 **MR. SHEARER:** It will be Irish owned
7 because it will belong to
8 Shannon LNG. Shannon LNG is an Irish company,
9 incorporated in Ireland.

10 **MR. J. McELLI GOTT:** So it will be owned by 11: 57
11 Shannon LNG, the LNG that
12 is in the tanks?

13 **MR. SHEARER:** Right.

14 **MR. McELLI GOTT:** It will only be sold
15 with -- yeah, okay. 11: 57

16 Is there a possibility to be able to export the LNG
17 that's in the storage tanks and to ship it back out
18 again, put it back into tankers?

19 **MR. SHEARER:** Mr. Inspector, it is
20 possible to take LNG out of 11: 57
21 the storage tanks and onto a ship. I mentioned in my
22 rebuttal evidence that that, in fact, would be very,
23 very unusual. I am only personally aware of one
24 instance that ever occurred anywhere in the world, and
25 that had to do with something in Spain, a couple of 11: 57
26 years ago, where they had multiple terminals and they
27 had an inventory problem in one terminal and so they
28 solved it by shipping LNG from another terminal. So
29 they took LNG out of one Spanish terminal and moved it

1 to an adjacent Spanish terminal. I don't see that
2 situation ever applying in the Irish context.

3 **MR. J. McELLI GOTT:** That's all, thank you very
4 much.

5 **INSPECTOR:** Thank you, Mr. McElligott. 11: 58
6 Does anybody else wish to
7 ask questions of either Mr. Power or Mr. Shearer?
8 Okay, Mr. Branigan.

9 **MR. BRANI GAN:** Thank you Mr. Shearer, that
10 was quite interesting. 11: 58

11 There was no need, and should never be any need, for
12 yourself or Mr. Power to have to tell us how
13 experienced you actually are. That is accepted. Now,
14 you made one cardinal error, and that is to say that
15 Ireland has no gas fields. 11: 58

16
17 Now, in our archives I have the records since 1921 of
18 the coal deposits in Ireland. That is a beautifully
19 produced map of one particular field down in Kilkenny,
20 in Tipperary. Now, not alone are there deposits, they 11: 59
21 have never been good quality, and I am using a term
22 that I only used when I was a boy, they are using
23 anthracite, which is very slow burning and not
24 highly -- well, certainly as far as domestic use is
25 concerned, and perhaps industrial use, it wasn't very 11: 59
26 good. But there is a possibility that gas can be. The
27 anthracite may be not as porous as, say, down off
28 Kinsale, where the rock material can contain the actual
29 gas. But nevertheless, it may very well be that some

1 of the coal fields that we have -- I have got the
2 charts of eight in fact -- may be able to be useful in
3 working out an alternative supply.

4
5 Now, there is one other point. In the recent 12: 00
6 legislation on energy the Government has given notice
7 that they intend, if possible, and if necessary, to
8 reclaim these various coal feeds and explore them.
9 Now, as you probably know, the technique by which this
10 is done, it is not a question of digging out the coal, 12: 00
11 but rather setting fire to it in situ and releasing
12 whatever gas that may actually be there. And, as I
13 say, we have gas -- I beg your pardon. We have coal,
14 it may not be as good as we would like, but
15 nevertheless it is there and the Government is, 12: 00
16 according to recent legislation, reserving the right to
17 have it explored.

18
19 Now, there is one very good field off the Kish bank, in
20 the Irish Sea, coming quite close to our coast, etc. 12: 01
21 and I understand that there are commercial bodies at
22 present exploiting that particular field. However, I
23 just wanted to correct you on that one particular
24 issue. Thank you, sir.

25 **MR. SHEARER:** Thank you. 12: 01

26 **INSPECTOR:** Okay. You have no comment
27 on that I take it.

28 **MR. SHEARER:** All I would observe is
29 Ireland has got some very

1 qualified independent oil and gas companies who, I
2 think, would be very interested in Mr. Branigan's
3 views. I am not in the oil and gas exploration
4 business so I really don't personally qualify to
5 comment on that. I am familiar with anthracite though. 12: 01

6 **MR. BRANIGAN:** My hearing is not good and
7 I am missing an awful lot
8 of what is being said.

9 **MR. SHEARER:** I am sorry, Mr. Branigan.
10 I was saying that there are 12: 02
11 some very, very highly regarded independent oil and gas
12 companies located here in Ireland and I am sure they
13 would be very interested to hear your views on the
14 potential for gas exploration, be it in the coal beds
15 or in the offshore. And our company is, in fact, 12: 02
16 looking at parts of Ireland, as we look elsewhere in
17 the world, in the upstream and the exploration
18 production sector. But that's not my specific area of
19 expertise.

20 **INSPECTOR:** Okay. The lady beside 12: 02
21 Mr. Branigan.

22 **MS. McMULLAN:** Thank you. I am Catherine
23 McMullan, I am representing
24 the Kerry association of An Taisce. I have listened
25 with great interest to Mr. Shearer's presentation. 12: 02
26 There are a number of points I would like to bring up
27 though, I have a few questions.

28
29 One just short comment. I noticed when you were

1 reading it, Mr. Shearer, that you correctly translated
2 gasoline as petrol. I just wanted to make sure that
3 wherever we see "gas" written in a document that comes
4 from America can we take it, it is methane they are
5 talking about and not petrol?

12: 03

6 **MR. SHEARER:** Mr. Inspector, in respect
7 of this application, this
8 EIS, I think it is fair to say that we have tried to be
9 extraordinarily careful to make sure that when we say
10 gas we mean natural gas. Because I know that I am
11 familiar, having spent the first 21 years of my life in
12 Scotland, I am more than familiar with the difference
13 between gas and petrol, so. But I have spent enough
14 time in the States and I am not always culturally
15 sensitive, so if I do slip up and I talk about a gas
16 station I mean a petrol station. So, please, if you
17 have a question as to whether I am referring to one or
18 the other don't hesitate to ask me for clarification.

12: 03

19 **MS. McMULLAN** thank you. Now, my next
20 question is relating to

12: 04

21 your own list of experience over the years. You
22 mentioned that you worked for Poten & Partners, who are
23 now part of the Shannon LNG Group. I was reading the
24 Annual General Report from Hess and it mentioned Poten
25 & Partners, but it really didn't give us any insight as
26 to what they do, so maybe you could tell us a bit about
27 that?

12: 04

28
29 The other one I want to ask you about was you worked

1 for the Cabot Corporation, who, obviously, do have
2 experience with LNG, during that time had you any
3 direct experience with setting up the new LNG plant on
4 behalf of the company?

5 **MR. SHEARER:** Very good questions. Yes. 12: 04

6 Now, let me deal with Poten
7 & Partners first. Poten & Partners is a privately held
8 company, it has a large consulting business, it also
9 operates in the commercial sector, in the energy
10 business, it is one of the world's larger brokers of 12: 05
11 petroleum tankers, oil and product tankers. We have --
12 I shouldn't say we -- I used to work for Poten and now
13 I work for Hess. Poten has offices in London, New
14 York, Perth, Athens and China. The web site is
15 *www.poten.com* and there is a lot of information about 12: 05
16 the company there that probably would be helpful to
17 you. There is no annual report because it is a private
18 company and does not have public shareholders. But
19 there is a lot of background on the company available
20 there. I am happy to take whatever other time you like 12: 05
21 to talk about that. Mr. MacIntyre, who will be coming
22 up, is an employer of Poten, he is also very familiar
23 with the company. They are very experienced in LNG and
24 have been involved in many projects.

25 12: 06
26 Turning to the Cabbitte Corporation. I joined that
27 company in 1978. My first assignment was to work on
28 tariff and fees for the LNG terminal that was located
29 in Boston Harbour and, also, surprisingly enough,

1 involved in public outcry about the risks of accidents
2 to LNG ship and in terminals and from accident and,
3 believe it or not, terrorists, they were a big issue in
4 the 1970's as well.

12: 06

5
6 As far as setting up business. I ran the business, the
7 company, that LNG company, from 1987 until we sold it
8 in 2000. I was directly responsible for the activities
9 of the LNG terminal in Boston Harbour, including
10 several expansion to were conducted at that terminal. 12: 06
11 We had, I think we would argue, an impeccable safety
12 record. We regularly won the corporation's prize for
13 the best safety performance.

14
15 As far as direct experience in setting up an LNG 12: 07
16 project, somewhere on the internet there is an article
17 from the Wall Street Journal that describes the
18 liquefaction project in Trinidad and Tobago, it is
19 called Atlantic LNG. I was heavily instrumental in
20 both conceiving of and founding that business. You can 12: 07
21 think of a liquefaction project, it is like an import
22 terminal with a lot more kit, as they say over here,
23 bolted on to the front end of it. That's the part of
24 the process that takes the natural gas and converts it
25 into the liquid. Then it is placed into storage tanks, 12: 07
26 with are identical to those that we would install in
27 Shannon, and it is exported onto ships at a jetty very
28 similar to the one that will be going into Shannon as
29 well. So, the back end of that plant is almost

1 identical to the Shannon plant, it is just they cool
2 the gas down and we warm it up.

3 **MS. McMULLAN** thank you. Now, I have
4 some other points that were
5 actually raised by the Kilcolgan Residents Association 12: 08
6 and they were part of An Taisce's submission to An Bord
7 Pleanála. One of them was the difficulty of getting
8 the QRA report, which I have not seen yet. I was not
9 able to get it from the internet. I was not aware that
10 a hard copy was available from the office. I think 12: 08
11 maybe it is something that should be made available to
12 the hearing here in time for the health and safety
13 module. If you could arrange that.

14
15 The other thing that we asked for as well was a typical 12: 08
16 set of analysis for the different sources. That was
17 brought up this morning. Now, I am more interested in
18 it from the point of view of is there any great
19 difficulty from the hazard point of view? The physical
20 properties of these different sources, are they very 12: 08
21 much different? Or are they fairly close together?
22 And whether it makes much difference where you bring it
23 from.

24
25 The other thing we had also asked for was Material 12: 09
26 Safety Data Sheets. Again, I can't see why there
27 should be any difficulty with supplying these to the
28 hearing. You comment they are available on the
29 internet. Now, perhaps you don't appreciate some of us

1 here are here in a purely voluntary capacity, we have
2 no access to offices and all the modern equipment, and
3 it simply isn't really feasible for us to be looking
4 for that sort of thing. And it should be something
5 that is readily available in your corporation. So, 12: 09
6 again, I would like to see those made available to the
7 hearing.

8
9 I noticed, too, that you co-authored a book "LNG, A
10 Non-technical Guide". Now, I don't know if that would 12: 09
11 be of use to us. But, maybe, again, if it is it could
12 be something that could be made available.

13
14 A lot of these questions that I have raised are
15 probably more health and safety ones, so if you want to 12: 10
16 leave them over to the health and safety module that's
17 fine. But I will leave it at that.

18 **MR. SHEARER:** Let me, first of all, on
19 the matter of the QRA,
20 there is a copy sitting on the table of documents right 12: 10
21 in the middle of the room here. So, that's available
22 and I am sure we will make additional copies available.
23 I apologise for the difficulties people have had
24 getting hold of that. As I said, in the ordinary
25 course of events we wouldn't even be required to 12: 10
26 release that into the public domain and we made a
27 decision to do that. I don't think we realised it was
28 going to be this complicated for everybody. Frankly,
29 we have also been willing to send it out and make hard

1 copies available through the Listowel office. So, if
2 somebody was having difficulties we have not always
3 heard about it. In the future, I would say if you are
4 having difficulty getting something just call the
5 office in Listowel and ask them and they will get it to 12: 10
6 you, just giving the time that it takes to get.
7 Whether there has been communication breakdown in the
8 past or not, we will commit that we will get the
9 documentation to you that we can.

10
11 We will also attempt to locate whatever Material Safety
12 Data Sheets. They tend to be very short in nature, but
13 we have got some technical people here and they will
14 talk about that in more detail when they get up for
15 their part of the presentation. 12: 11

16
17 Finally, I think you raised a question on the
18 composition of the LNG. That is a question that was
19 asked by the HSA. We responded to that and, I believe,
20 both the question they asked and the response is on the 12: 11
21 web site. But we will certainly make sure there is
22 hard copies of that available here as well.

23 **INSPECTOR:** Ms. Griffin?

24 **MR. SHEARER:** Oh, sorry, you asked about
25 the book. We have a 12: 11

26 limited number of copies of the book and,
27 unfortunately, I hate to say this, it is expensive. It
28 is not a freebie. I say that with proprietary
29 interest, as an author. But we can make a couple of

1 copies available on the table here.

2 INSPECTOR: Will there be a charge for

3 those?

4 MR. SHEARER: As long as they are there

5 at the end of the 12: 12

6 proceeding and we can recover them.

7 INSPECTOR: Right. And you will sign

8 any that anybody wants to

9 buy?

10 MR. SHEARER: I am happy to autograph 12: 12

11 them. My co-author is not

12 with me, but I will happily autograph them for whoever

13 would like one.

14 MS. GRIFFIN: Catriona Griffin again.

15 Mr. Shearer, just that 12: 12

16 second last comment you made before you were speaking

17 about the book, about the LNG coming from different

18 source and would there be molecular differences. Well,

19 as part of my written submission I put in a report from

20 the USA, March 2005: 12: 12

21 "LNG causes pipeline leaks and house

22 explosion. On July 7th, 2005 a company

23 sponsored study launched after a

24 district heights house exploded in late

25 March found subtle molecular 12: 13

26 differences...."

26 INSPECTOR: Sorry, I am not catching

27 the names of the places.

28 MS. GRIFFIN: Sorry, I will speak up.

29

1 "USA March 2005... On July 7th, 2005 a
2 company sponsored study, launched after
3 a district heights house exploded in
4 late March. Found subtle molecular
5 differences in the imported liquified
6 natural gas the utility began using in
7 August 2003 were drying the rubber
8 seals of ageing metal couplings that
9 linked sections of pipe. The breakdown
of seals in the couplings of gas
pipelines led to about 1400 gas leaks
during the past two years and has
required the company to launch a 144
million dollar project to replace lines
and equipment. Two other house
explosions in the area are now under
investigation."

12: 13

10
11 **MR. SHEARER:** Mr. Inspector, I believe
12 that refers to a proceeding
13 that was taken up by the Federal Energy Regulatory
14 Commission, the US safety regulators. It was a
15 complaint by a company called Washington Gas Lite,
16 which serves the area around Washington DC. I am sure
17 one of our safety experts will be a lot more detailed
18 on this than I am. But my understanding, the bottom
19 line of that investigation conducted by the Federal
20 Energy Regulatory Commission found that it was the
21 company that was at fault for maintenance practices.
22 The couplings in question were decades old.
23 Fortunately, Ireland, as a relatively new gas consumer,
24 I believe I would be correct in saying, probably
25 doesn't employ anything like that in its system. So
26 that's not even an issue here.

12: 13

12: 14

12: 14

12: 14

27
28 But the root bottom line cause, as I understand it, was
29 found not to be LNG, but Washington Gas Lite's own poor

1 practices in maintaining its system. But we will get a
2 more detailed answer by the time the safety and
3 operating experts are up.

4 **INSPECTOR:** And you are saying that, as
5 far as you are aware, it is 12: 15
6 not due to the particular content of the gas?

7 **MR. SHEARER:** No. That was the claim
8 they made and they were
9 unable to support it and my understanding is that the
10 safety regulator found that they had, I hate to say it, 12: 15
11 almost made a spurious claim. But it was almost as if
12 they were looking for someone to blame for their own
13 failures. It was not attributable to LNG.

14 **MS. GRIFFIN:** Sorry, what was the name of
15 the company, Mr. Shearer? 12: 15

16 **MR. SHEARER:** Washington Gas Light was
17 the name of the company
18 that operated the system with the couplings. Good
19 question. I think if you search the web site you will
20 find all the information you will need on it. Sorry, 12: 15
21 but I don't have that information at my fingertips, I
22 just remember the case.

23 **INSPECTOR:** Mr. Fox.

24 **MR. FOX:** Mr. Fox, Tarbert
25 Development. Having made a 12: 16
26 submission myself in relation to the ten year period
27 that the licence would be granted for the planning
28 permission, we in Tarbert Development have serious
29 concerns. Now, you may rule that you will discuss that

1 later on, and I will accept that ruling, but our
2 concern is that the traffic would be flowing back and
3 forth along that roadway for ten years. We think it is
4 an extraordinary long length of time. We have been
5 told that the building period will take approximately 12: 16
6 four years, to get the tanks up and to get the pipe
7 work and the plant running. We don't see the need for
8 the additional six years. That's one point.
9

10 The other is I want to be assured that the tank sizes, 12: 16
11 as indicated in the planning application, that that
12 won't change. I'm also concerned that Mr. Shearer made
13 some mention about a "tank farm", and I have some
14 concerns about that as well. Is there a likelihood
15 that more than four tanks will be built on the site? 12: 17

16 **MR. SHEARER:** Let me address the first
17 issue, which relates to
18 construction. I am not the right expert to talk about
19 the construction traffic impacts, but people will come
20 up and discuss that with you. The same with the height 12: 17
21 of the tanks, we are going to cover that in evidence
22 subsequent to mine.
23

24 As for the number of tanks. It is my professional -- I
25 mean, I don't think I used the word "tank farm", I tend 12: 17
26 to be very careful about those things, because they
27 bring to mind this horizon full of oil tanks that
28 people think of. That we have no intention of, and I
29 cannot see any case under which there would be more

1 than four tanks ever placed on that property.

2 **MR. FOX:** Thank you for that

3 clarification.

4 **INSPECTOR:** Mr. Shearer, can you

5 address the size of the 12: 18

6 tanks, is there any possibility?

7 **MR. SHEARER:** I think we will address

8 that in the evidence coming

9 up. But, in my view, what we have designed are tanks

10 that will not increase in size. And, both from our 12: 18

11 construction contractor and from our own technical

12 experts, there will be a presentation that will go to

13 that issue specifically. There are actually very good

14 technical reasons that the tanks will not be any larger

15 than they are being proposed. 12: 18

16 **INSPECTOR:** I will just point out on

17 that, that we have a

18 particular application in front of us and the tank

19 sizes are frozen in that application.

20 **MR. SHEARER:** Mr. Inspector, if I might, 12: 18

21 we will address that, too,

22 again in the subsequent submittal with the designers

23 and the operations folks.

24 **INSPECTOR:** Briefly, Mr. McElligott, I

25 think you have had a fair 12: 18

26 say.

27 **MR. J. McELLI GOTT:** Just about the tank size

28 there. I think in the

29 document they submitted there are two different tank

1 sizes mentioned. One says 50 metres and if you look at
2 the drawings you realise they go up to 72.5 metres, or
3 something like that. 50 metres for the height of the
4 wall and then it goes up 10 metres, to 60 metres, to
5 the top of the dome. So I just wonder. I raised the
6 point earlier in my initial submission anyway, that
7 there was different sizes mentioned in the application,
8 so I was just wondering which was the correct one?

12: 19

9 **MR. SHEARER:**

Mr. Inspector, that

10 specific issue was raised
11 in the submission to the Board, we will have a very
12 specific answer to that when we get to that section of
13 the hearing. We will remove the ambiguity or make
14 clear where that confusion is coming.

12: 19

15 **MR. J. McELLI GOTT:**

Wouldn't that mean then

16 it would be a different
17 thing you are applying for.

12: 19

18 **INSPECTOR:**

Sorry, I didn't catch that
19 at all.

20 **MR. J. McELLI GOTT:**

Wouldn't that mean then

21 that you are applying for
22 something -- you are changing the application so; is
23 that what you mean?

24 **INSPECTOR:**

No, he's going to answer
25 the question. I think

12: 19

26 there may well be a clear answer and there, hopefully,
27 will not be any ambiguity. So, I think we will leave
28 it at that. Does that conclude the questioning of Mr.
29 Shearer and Mr. Power? Sorry, Mr. Fox?

1 MR. FOX: I would have some questions
2 for Mr. Power, if I could
3 please.
4 MR. SHEARER: Thank you.
5 MR. FOX: Just give me a second to 12: 20
6 get myself together on
7 this, because I was paying so much attention to what
8 was going on.
9
10 The main one is the application for an 110kv line of 12: 20
11 supply out to the power site -- out to the LNG plant.
12 I would have great concerns with that particular power
13 line, and I accept that it is regarded as a separate
14 application, but for the purpose of the oral hearing I
15 would like to see some conditions attached to that. 12: 20
16 That particular road Kerry County Council, as part of
17 their Development Plan, if I am correct, have envisaged
18 that road being a tourist type road, and if an 110kv
19 line -- and I believe there are going to be two of
20 them -- were to go out along that road and be above 12: 21
21 ground that would spoil whatever bit of scenery is out
22 there. I believe very firmly that it should be a
23 condition of the application for the line that it
24 should be underground. It will, perhaps, have to
25 travel a distance of about two, two and a half 12: 21
26 kilometres, which in cabling terms is not very far. I
27 also want to make sure, if possible, that any cabling
28 or wire lines, overhead lines shouldn't be on the site
29 at all. If at all possible they should be underground.

1 I have made that in my particular submission to the
2 Board, because I do think it is important.

3 **MR. POWER:** Mr. Inspector, that will be
4 a separate application made
5 by EirGrid. We have initiated discussions with EirGrid 12: 22
6 on a power supply to the terminal. I don't believe
7 that we have the final submissions from EirGrid yet, or
8 if they have arrived it is only just recently. But we
9 will be addressing the power supply issues with EirGrid
10 directly. 12: 22

11 **INSPECTOR:** Can you say at this stage
12 whether there has been any
13 consideration for going underground?

14 **MR. POWER:** EirGrid, I understand, are
15 obliged, let's say, to 12: 22
16 examine the alternative methods for safe supply to the
17 terminal and that they will advise on that. I
18 understand that they do look at alternative approaches.

19 **INSPECTOR:** Okay.

20 **MR. FOX:** I also would like to raise 12: 22
21 issue with the gas line.

22 Mr. Power mentioned that yesterday as well. It would
23 appear that LNG are now going to be responsible for the
24 line as distinct from Bord Gáis. I think it is very
25 important, for good neighbourliness if nothing else, 12: 23
26 for commercial reasons as well, that there should be a
27 spur line -- when that line is laid it should be part
28 of the condition that there would be a spur line, not
29 very long, maybe 6, 8 feet, with a blank in it, tapped

1 off with the intention of going to Tralee at some
2 future date. And there should be, likewise, a spur
3 line to go down to the power station site in Tarbert.
4 That has many advantages from an economic point of
5 view, the overhead power lines down at Tarbert power
6 station, it provides a ready site for a new power
7 station to be built there in the future, and it allows
8 the town of Tralee to expand if it needs to use gas.

12: 23

10 What I don't want to see happening is the gas line
11 being put down, one straight run to Foynes, and then in
12 two, three, four or five years someone coming back and
13 saying 'oh, wouldn't that be a good idea. We need to
14 tap off to Tralee and that means cutting off the supply
15 and digging up', and so on. They could have a ready
16 connection, all they'd need to do is weld it, for both
17 locations.

12: 23

18 **MR. POWER:**

Mr. Inspector, Mr. Fox is
correct. We have had

20 discussions with BGE on them building, owning and
21 operate the pipeline. Or alternatively, Shannon LNG
22 building, owning or operating the pipeline, or a
23 subsidiary thereof. Under both scenarios we envisage
24 that there will be open access to the pipeline. In
25 other words, third parties will have access to the
26 pipeline.

12: 24

12: 24

12: 24

27 **INSPECTOR:**

What does "open access"
mean?

28 **MR. POWER:**

Open access means that

1 the third parties seeking a
2 gas supply can seek access to the pipeline and achieve
3 a gas supply.

4 **INSPECTOR:** But physically what would
5 it involve? Would it mean 12: 25
6 cutting the supply in order to make a spur?

7 **MR. POWER:** It is like the access that
8 we will -- we will have
9 access, open access now into the National Grid, that's
10 the same type of situation. That will involve, let's 12: 25
11 say, making a connection to the grid and the technology
12 is there to do that today.

13 **INSPECTOR:** Without huge disruption?

14 **MR. POWER:** Correct. That's correct
15 Mr. Inspector. That will 12: 25
16 continue, that methodology will be available for the
17 pipeline from the terminal up to Foynes as well.

18 **INSPECTOR:** Okay, Mr. Fox, that really
19 is a matter for another
20 day. 12: 25

21 **MR. POWER:** By the way, I should add
22 that we welcome this. This
23 is the whole purpose of our proposal, because that
24 means that there are customers out there looking for
25 our gas. Thank you, Mr. Fox. 12: 26

26 **MR. FOX:** Just for clarification. As
27 a community we are anxious
28 that we would get some benefit of the gas, real usage,
29 local to us. If there is a power station down in

1 Tarbert about to close, using oil, and you can transfer
2 gas down there and continue on with sustainable
3 employment and give cleaner fuels that's wonderful. If
4 there is potential development in Tralee, as there
5 should be, and gas can become an energy source. It is 12: 26
6 a simple thing, in my view, to make a short spur, with
7 an isolation and a blank. If that can be part of the
8 conditions coming from this. I accept it is a separate
9 application, but I don't want it to be lost sight of.

10 **INSPECTOR:** I think Mr. Power has 12: 26
11 answered that, that he
12 favours that sort of approach.

13 **MR. POWER:** Mr. Inspector, I should add
14 that this was one of the
15 primary purposes, let's say, why this proposal has come 12: 27
16 forward, was to encourage, in many discussions that I
17 have had with the Shannon Development, was to encourage
18 regional development. I am of the same view of Mr. Fox
19 in that respect.

20 12: 27
21 Also, I should point out that the Corrib pipeline that
22 has been built from the National Grid up towards Mayo,
23 that has spurs off that as well. And new spurs can be
24 added if the market evolves. So Mr. Fox and I are on
25 the same wavelength in this respect. Thank you, 12: 27
26 Mr. Inspector.

27 **MR. KEARNEY:** Sorry, Inspector, I just
28 want to make one point
29 there.

1 about that, what the codes
2 referred to and should I be aware of them.

3 MR. O'NEILL: No, it is simply an
4 internal referencing from
5 our point of view, it has no other significance I don't 12: 30
6 think. And obviously, sir, we have as best possible
7 identified the issues that are raised by various
8 parties and the appropriate expert is dealing with
9 those. Clearly, if any of them fall between the stools
10 no doubt we will be told and we would welcome anyone 12: 30
11 raising an issue that they feel has not been properly
12 dealt with, or dealt with at all.

13 INSPECTOR: Okay.

14
15 MR. POWER PRESENTED HIS SUBMISSION ON SITE SELECTION AS 12: 30
16 FOLLOWS:

17
18 MR. POWER: Mr. Inspector, as Managing
19 Director of Shannon LNG I
20 was responsible for identifying the need for the 12: 30
21 project. I also managed the process of selecting the
22 preferred site and supervised the preparation of the
23 planning documentation, including the EIS. The purpose
24 of my evidence in this statement is to tell you how the
25 Shannon Estuary Landbank site, owned by Shannon 12: 31
26 Development, that's the state regional economic
27 development agency, was selected for the proposed
28 development.
29

1 The industry was aware of the forthcoming potential gas
2 shortfall in the 90's and I was familiar with the
3 possibilities that LNG might provide in Ireland. I
4 believe that LNG would increase Ireland's security of
5 supply and provide greater connectivity to the global
6 gas market. I provided references to that in the
7 statement.

12: 31

8
9 Japan's experience is worth noting because it imports
10 nearly all its natural gas requirements using LNG.
11 According to the University of Houston Law Centre
12 Institute for Energy Law and Enterprise, by 2003 LNG
13 carriers had made over 40,000 voyages, covering 60
14 million miles and had not reported any significant
15 accidents or safety problems in port or while at sea.
16 For example, in 2000 on average an LNG ship entered
17 Tokyo Harbour every 20 hours safely and without
18 incident. These activities are continuing today.
19 Hence with this as background and with the help of
20 Peter Langford, who is the ex-Chairman of our
21 consulting engineers, I set out to try and identify a
22 potential site for the terminal.

12: 31

12: 32

12: 32

23
24 I was satisfied that LNG operations could be conducted
25 safely and that Europe and Ireland were facing a gas
26 supply shortfall. I discussed the concept with Peter
27 to seek his input on the project concept in general and
28 the site selection process in particular. I was
29 familiar with the general characteristics that we would

12: 32

1 require for a site. We talked about a number of
2 locations, especially existing ports around the
3 country, that might, among other things, have access to
4 deep water, provide a sheltered spot for a jetty and be
5 near the gas and electricity grids.

12: 33

6
7 I will now discuss the site selection methodology and
8 criteria. The optimal site for an LNG terminal was
9 determined and is explained in Volume 2, Section 2.3.2
10 of the EIS. This site was determined by initially
11 identifying coastal areas that met the marine
12 requirements. That's Phase 1 of the process. And then
13 identifying a site within the short listed coastal
14 areas that met the onshore requirements for the
15 terminal and which was available for acquisition in a
16 reasonable timeframe.

12: 33

12: 33

17
18 In the first phase of site selection ports and bays
19 around the Irish coast for examined to identify
20 potential coastal areas that complied with the marine
21 requirements given below and ease of access to the gas
22 transmission grid. The criteria used for the
23 identification of coastal areas are as follows:

12: 34

24
25 - Sheltered water with a minimum depth of 14 to 15
26 metres at mean low water, to minimise the environmental
27 and economic impacts resulting from any requirement for
28 dredging or creating breakwaters or other artificial
29 infrastructure.

12: 34

1
2 - Safe access for large ships to and from the sea.

3
4 - We were looking for a channel which is wide enough
5 to accommodate the largest LNG ship contemplated and a 12: 34
6 nearby turning area of suitable dimensions to turn the
7 LNG ship prior to or on completion of discharge.

8
9 - We were looking for a suitable location for the
10 construction of a jetty and unloading facilities 12: 34
11 adjacent to the onshore portion of the site.

12
13 - We were looking for proximity to the gas
14 transmission grid, at a point with sufficient pipeline
15 size to ensure take way of the planned gas volumes 12: 35
16

17 - Proximity to the electricity transmission grid was
18 seen as a very favourable factor also, because of the
19 relationship in modern economies between gas and
20 electricity, and 12: 35
21

22 - Preferably, availability of existing marine support
23 infrastructure, such as tugs, pilots, vessel tracking
24 system or systems and shipping agents was seen as a
25 favourable attribute. 12: 35
26

27 Mr. Inspector, these criteria are compatible with
28 Information Paper No. 14 prepared by The Society of
29 International Gas Tanker and Terminal Operators, that

1 is SIGTTO. That paper is entitled "Site Selection and
2 Design of LNG Ports and Jetties" published in 1997. My
3 colleague, Blair MacIntyre. is an ex-Director and Vice
4 President of SIGTTO and he will be happy to address any
5 queries relating to the SIGTTO reference document.

12: 36

6
7 Looking first at Phrase 1 - the coastal zone selection.
8 An assessment was made of the suitability of a number
9 of coastal areas which might satisfy the preferred
10 marine requirements as outlined in volume 2, section
11 2.3.3 of the EIS. Port and bays around the Irish coast
12 were studied using Admiralty Charts and the Irish Coast
13 Pilot Book. The coastal areas studies are shown on
14 figure 1, which is shown on the overhead here.

12: 36

15
16 As part of the evaluation of the port and coastal areas
17 identified, the following areas, while affording
18 shelter, -- there is 18 areas in total by the way --
19 were considered. Some of them were subsequently deemed
20 unsuitable candidates as they did not have the required
21 water depth or if there was sufficient water they did
22 not have sufficient space for the port side facilities.
23 These were Drogheda, Dundalk, Malahide Inlet, Dublin
24 Port, Arklow Port, Rosslare Port, Waterford Estuary and
25 Youghal Estuary.

12: 36

12: 36

12: 37

26
27 In other words, these established ports were evaluated
28 and deemed to today be unsuitable.

1 The following areas, while possessing the required
2 water depths, were deemed unsuitable because they were
3 exposed to adverse weather and swell at various times
4 of the year. That is Galway Bay, it is open to the
5 west. Clew Bay, also open to the west. Broadhaven
6 Bay, open to the north. Killala Bay, open to the
7 north. Sheep Haven, open to the north. Lough Swilly,
8 open to the north.

12: 37

10 This left four areas that fulfil the criteria of both
11 deep water and shelter. They are Killary Harbour,
12 Bantry Bay, Cork Harbour and the Shannon Estuary.
13 Those four areas were evaluated. A summary of the
14 evaluation is provided here in my statement and it is
15 also provided in the EIS that has been submitted to An
16 Bord Pleanála. So, with your approval Mr. Inspector, I
17 do not intend to continue to read these.

12: 37

18 **INSPECTOR:** Okay.

19 **MR. POWER:** I would like though to
20 refer to, moving to section
21 6.4.4 entitled "Shannon Estuary" and I do intend
22 reading that because it turned out to be the site that
23 was selected.

12: 38

12: 38

25 The preferred coastal location chosen was the Shannon
26 Estuary. The Estuary is a major shipping route with
27 established marine facilities handling 10 million
28 tonnes of traffic per annum. The deep water channel
29 and shelter from the Atlantic swell ideal shipping

12: 38

1 access for bulk carriers of 180,000 DWT which regularly
2 enter Irish waters to deliver coal to the Money Point
3 Power Station. The largest vessel handled to date was
4 a 186,000 DWT and had a draft of 17.4 metres. The
5 Shannon Estuary access is shallowest at the Ballybunion 12: 39
6 Bar with 16.3 metres below Chart Datum, sufficient to
7 take the largest LNG ships under construction at the
8 time, and today as well. The estuary is very wide for
9 much of its length, affording ample manoeuvring and
10 turning room for LNG ships and safe clearance for all 12: 39
11 other possible shipping activities.

12
13 In other words, it is near to being an ideal site for
14 an LNG terminal. Additionally, our activities will not
15 adversely impact other users of the estuary, as will be 12: 39
16 explained by my colleague Mr. Blair MacIntyre.

17
18 There is a wave recorder buoy at Ballybunion Bar, which
19 monitors sea and swell conditions at the bar. The data
20 is transmitted to Shannon Estuary Port operations and 12: 40
21 are used as part of the decision making process for
22 port entry for deep draft vessels. Deep draft -- that
23 is more than 13 metres -- vessels sometimes take a
24 pilot by helicopter in bag weather. There are three
25 modern tugs based in the estuary, giving a combined 12: 40
26 total bollard pull of approximately 130 tonnes. There
27 are some relatively small amounts of aquaculture
28 activity at various locations in the shallower waters
29 of the estuary west of the proposed site, these will

1 not be impacted by the proposed development.

2
3 The high voltage electricity transmission grid and the
4 gas transmission grid are located on the shores of the
5 estuary. The gas transmission grid is approximately 25 12: 40
6 kilometres from the site and the natural gas pipeline
7 has a 30 inch diameter in this area, sufficient to
8 accommodate the proposed volumes without further
9 expansion. The electricity grid has high voltage
10 available approximately 6 kilometre from the proposed 12: 41
11 site, over at Tarbert.

12
13 This assessment strongly influenced our decision to
14 prioritise Shannon Estuary at the time.

15 12: 41
16 So, from the assessments provided above the Shannon
17 Estuary was deemed to be the most suitable coast
18 location for an LNG terminal. Its main advantages were
19 its relatively sheltered deep water close to the shore,
20 safe and unrestricted large ship access, proximity to 12: 41
21 the gas grid, the in situ support infrastructure and
22 identification by the authorities of its suitability
23 for marine industrial development, which dates, I
24 suppose, back at least to 1959, but I suspect much
25 further back than that. 12: 41

26
27 So, we then turned to Phase 2 of the site selection
28 process. We had identified the estuary as being
29 suitable from the marine operations viewpoint and the

1 next stage of the assessment was to identify potential
2 onshore sites. These are outlined in Volume 2, Section
3 2.3.4 of the Environmental Impact Statement.

4
5 Arup Consulting Engineers agreed to investigate this 12: 42
6 for me to see if they could identify a site on the
7 estuary on which to locate the shore side facilities of
8 the terminal. The site selection criteria were as
9 follows:

- 10 12: 42
- 11 - availability of land. We were looking for
12 approximately 100 hectares.
 - 13
14 - topography and deep water access. That's the
15 topograph of the land adjacent to where we might have 12: 42
16 deep water access.
 - 17
18 - We considered the ownership and zoning issues.
 - 19
20 - We considered access, transport and infrastructure. 12: 43
21
 - 22 - Neighbouring land uses were considered.
 - 23
24 - And the environment, of course.
 - 25 12: 43
 - 26 - Proximity to market -- that's the gas and
27 electricity -- was an issue for consideration.
 - 28
29 - A location suitably distant from centres of

1 popul ati on.

2
3 The si tes i denti fi ed by Arup are l isted below and shown
4 on fi gure 2 of the EIS. That's fi gure 2.6 of the EIS.
5 They are shown on thi s di agram here. They go from the 12: 43
6 Shannon Devel opment Landbank on the west up to
7 Aughi ni sh i sl and on the east.

8
9 A descri pti on and eval uati on of these potenti al si tes,
10 that's Money Poi nt, Labasheeda, Shannakea, Aughi ni sh 12: 44
11 I sl and, Foyne s I sl and, Mount Trenchard, Tarbert and the
12 Shannon Devel opment Landbank i s gi ven i n Vol ume 2,
13 Section 2.3.4 of the EIS. I do not intend repeating
14 that descri pti on here, Mr. I nspector.

15
16 All these si tes were revi ewed and eval uated again st the
17 cri teria noted above and a summary of the coastal areas
18 eval uated i s presented i n the Envi ronmental I mpact
19 Statement. It i s not reproduced here.

20
21 The preferred si te was the Shannon Devel opment Landbank
22 si te between Bal l y l ongford and Tarbert, near
23 Knockfi ngl as Poi nt and Ardmore Poi nt.

24
25 A descri pti on of the Landbank i tsel f i s covered i n my 12: 45
26 statement. The si te i s very close to deep water and
27 the l and i s rel ati vel y l ow-lyi ng and rel ati vel y l evel .
28 Thi s was i mportant for us. The nearest towns are
29 Bal l y l ongford, about 3.5 ki lometres to the west, and

1 Tarbert, about 4.5 kilometres to the east. There are a
2 number of houses on the local coast road connecting
3 these two towns. The site is approximately 600 acres.
4 That's the Landbank that is owned by Shannon
5 Development is about 600 acres. In the County 12: 45
6 Development Plan Kerry County Council had identified
7 the Shannon Development Landbank site as suitable for
8 the development of premier deep water port facilities.
9 This identification, I understand, goes back many years
10 and is referenced as well in the submission of Kerry 12: 45
11 County Council. They had identified this as a premier
12 deep water port facilities, major industrial
13 development and employment creation. Kerry County
14 Council has zoned this site for industrial development
15 and indicated in its Development Plan that the site was 12: 46
16 suitable for development as a premier deep water port
17 facility and for major industrial development. Shannon
18 Development had advertised the Landbank as a suitable
19 site for the development of an LNG terminal.

20
21 The Shannon Development owned Landbank had been put
22 together, starting in 1959 by the IDA, and it was
23 earmarked for marine related industrial development for
24 many years. I think I have referred that this was well
25 known locally and in the county and throughout the 12: 46
26 country. This makes the Landbank site uniquely
27 attractive for the establishment of an LNG terminal and
28 I believe it is close to being an ideal site. As
29 mentioned earlier, its strategic potential was

1 recognised locally and by the State as far back as
2 1959, when the IDA began purchasing the land for
3 strategic marine industrial development.

4
5 At the eastern end of the landbank site deep water is 12: 47
6 available in close proximity to the shore. Water and
7 power supply infrastructure needs to be upgraded on
8 site. The site is served by a local road, which would
9 need upgrading to the east as far as the N69 National
10 Secondary Route at Tarbert village. Like all the other 12: 47
11 sites on the estuary, the site is adjacent to the lower
12 Shannon Candidate Special Area of Conservation. It is
13 also adjacent to the Ballylongford proposed Natural
14 Heritage Area and near the Shannon Foynes Special
15 Protection Area. There is sufficient area available 12: 48
16 within the site boundaries to permit the development of
17 the LNG terminal, while preserving the areas of
18 environmental and archaeological importance. There is
19 aquaculture activity in the estuary to the west of the
20 site, approximately 2 kilometres away, in shallow water 12: 48
21 where LNG ships could not travel.

22
23 No existing users of the site would be disturbed other
24 than some of the local farm farmers whose short term
25 grazing leases would need to be terminated once 12: 48
26 construction begins.

27
28 Conclusion: Giving due consideration to the factors
29 describe in the assessment above, and also detail in

1 the EIS, the Shannon Development Landbank site was
2 selected as the optimal site for the location of an LNG
3 terminal, subject, of course, to a detailed site
4 investigation.

12: 48

5
6 I would now like to respond to certain submissions made
7 to the Board under this category.

8
9 Submission by Kathy Sinnott, MEP, and Adam Kearney
10 associates: -

12: 49

11
12 The submission is that LNG plants are located in port
13 sites, not a greenfield site in a scenic area.

14
15 My response to that is: In the County Development Plan 12: 49
16 Kerry County Council had identified the Shannon
17 Development Landbank as suitable for the development of
18 premier deep water port facilities and major industrial
19 development. This makes the site uniquely attractive
20 for the development of an LNG terminal. As detailed in 12: 49
21 section 5, Site Selection Methodology and Criteria of
22 this brief of evidence and Volume 2, Section 2.3 of the
23 EIS, a number of port sites were considered but found
24 unsuitable for the siting of an LNG terminal. These
25 were ports such as Dublin, Waterford, we looked at the 12: 49
26 port of Cork as well, Mr. Inspector. And the details
27 are described in the EIS.

28
29 There was a submission from the Sea Energy Group. The

1 submission claimed that: "The concept of a storage
2 facility offshore which combines within its structure
3 wave energy, offshore wind and tidal flow seems more
4 attractive".

5
6 The type of concept outlined by the Sea Energy Group is
7 unproven in the LNG industry. A study recently carried
8 out for the UK DTI concluded as follows:

9
10 "In some respects the tidal turbine
11 industry of 2006 is comparable to the
12 wind industry of the early 70's, with a
13 large number of possible permutations
14 of the various design options, a
15 diversity of approach and a shortage of
16 hard evidence to which approaches are
17 likely to have a commercial future".

18
19 We had a submission from Adam Kearney & Associates, a
20 submission from DB Marine Research, a submission from
21 Friends of the Irish Environment, and a submission from
22 Killybeggs Residents Association. These submissions and
23 objectors note that a study indicated that a local near
24 the Kinsale gas field would be superior to the proposed
25 side. I will now respond to that.

26
27 As far as I can tell, these submissions propose using
28 the infrastructure associated with the Kinsale Head Gas
29 Field platform as part of the LNG import terminal.
There are no known instances of offshore LNG terminals
integrated with existing producing gas platforms, as
the suggestion appears, so the suggestion appears

1 speculative. I personally, from my own experience, see
2 major technical and safety issues associated with LNG
3 regasification at the Kinsale Head platform, including:

4
5 - Safe mooring of the LNG tankers at or near the 12: 52
6 Kinsale platforms in the exposed Celtic Sea in close
7 proximity to the offshore gas platforms.

8
9 - The logistics associated with reloading regasified
10 LNG into the platform appears very complex. If the 12: 52
11 LNG was regasified on the ship this would mean the
12 LNG tanker would have to be docked near the platform
13 for very long periods of time, increasing the risk
14 of exposure to storms. If the LNG was to be
15 unloaded into tanks constructed at the platforms 12: 52
16 this would involve using unproven concepts.

17
18 The Shannon LNG terminal will be capable of providing
19 gas supplies to the Irish markets 365 days a year,
20 regardless of weather conditions. At the Kinsale 12: 52
21 platform we see issues with guaranteeing the delivery
22 of LNG during period of storm conditions in the Celtic
23 Sea.

24
25 The infrastructure associated with the Kinsale Gas 12: 53
26 Field is in private ownership. The owner of the
27 Kinsale Gas Field is free to investigate the
28 feasibility of developing an LNG terminal to compete
29 with Shannon LNG terminal if they so choose.

1
2 The Study cited in the submissions did not identify
3 Kinsale as an "ideal" location for an LNG terminal. It
4 stated that Kinsale could be a location for an LNG
5 terminal.

12: 53

6
7 My colleague Mr. Blair MacIntyre will provide
8 additional details on the issues associated with the
9 offshore siting of LNG terminals.

12: 53

10
11 We also had a submission from Friends of the Irish
12 Environment. Their submission: "Given the proximity
13 to centres of population and the riparian location this
14 issue of an alternative offshore location was not
15 properly addressed in section 2.4 of the EIS and is not 12: 53
16 consistent with Article 12 of the EU Seveso 2
17 Directive. An LNG terminal near the Kinsale field
18 should be considered".

19
20 My response to this is: The Health and Safety 12: 54
21 Authority is the central competent authority in Ireland
22 responsible for implementation of Article 12 the Seveso
23 II Directive. The HSA has developed a risk based
24 framework for land use in Ireland which meets the
25 requirements of Article 12 of the Seveso II Directive. 12: 54
26 The HSA have reviewed the Shannon LNG Quantitative Risk
27 Assessment and informed the Board of its view.

28
29 Finally, to address a submission by the Kilcolgan

1 Residents Association. Their point No. 6 and point No.
2 8 of their submission claims that the SIGTTO standards
3 were not followed in the site selection and design,
4 including finding a location suitably distant from
5 centres of population and a suitable sheltered jetty
6 location. 12: 55

7
8 This assertion is unfounded. Please refer to Volume 2,
9 Section 2 and Section 3 of the Environmental Impact
10 Statement and Section 4 of this statement, Site 12: 55
11 Selection History. That concludes my statement,
12 Mr. Inspector. Thank you.

13
14 **END OF SUBMISSION**

15 12: 55
16 **INSPECTOR:** Thank you, Mr. Power. I
17 expect there are questions

18 **MR. O'NEILL:** Yes. As we said before,
19 questions may be addressed
20 on this issue and Mr. Blair MacIntyre is also going to 12: 55
21 deal with site selection, particularly offshore sites,
22 or the possibility of offshore sites. I don't know if
23 it is more convenient to couple those two and then take
24 questions on those issues. There may be questions
25 addressed to one witness or another witness. 12: 55

26 **INSPECTOR:** Yes, I think it may be
27 better to go on then with
28 Mr. MacIntyre. But it is five to one now so we will
29 break for lunch for an hour. I would ask people to be

1 back by 2 o'clock please. Thank you.

2
3 LUNCHEON ADJOURNMENT

4
5
6 THE HEARING RESUMED AFTER THE LUNCHEON ADJOURNMENT AS
7 FOLLOWS

12: 56

8
9
10 **INSPECTOR:** Good afternoon everybody, 14: 04
11 if we can resume our seats
12 please. Now, before we get into the next part of the
13 presentation from the Applicants, I have a request from
14 Mr. Richard O'Sullivan of Shannon Development. He
15 really wishes to make it known that he is available and 14: 04
16 that he will take questions now. I think he also may
17 wish to clarify the position in relation to I suppose
18 you would call it a potential sterilisation of
19 adjoining land as a result of any exclusion zones that
20 might be around the proposed development so, 14: 05
21 Mr. O'Sullivan, do you wish to make a statement at the
22 outset.

23 **MR. O'SULLIVAN:** Mr. Inspector, I must
24 apologise. Unfortunately
25 due to a prior commitment I do have to attend another 14: 05
26 meeting this afternoon. If there are some quick
27 questions now in relation to what was heard at the
28 previous session I would be happy to take those now and
29 perhaps defer if not those questions then all questions

1 to perhaps a later opportunity.

2 INSPECTOR: Okay. Does anybody have
3 questions at this stage for
4 Mr. O'Sullivan?

14: 05

6 MR. O'SULLIVAN WAS CROSS-EXAMINED AS FOLLOWS

7
8
9 MR. McELLI GOTT: Sorry, Johnny McElligott
10 here. Could he just answer 14: 05
11 the same question I asked him yesterday or has the
12 answer changed?

13 INSPECTOR: Could you ask the question
14 again please.

15 60 Q. MR. McELLI GOTT: Given the commitment that 14: 06
16 the Shannon Development
17 always had towards the creation of an industry, a
18 marine based industry that would create lots of jobs,
19 how do they feel that if the rest of the land bank is
20 sterilised what effect that would have on their view of 14: 06
21 this project?

22 A. MR. O'SULLIVAN: Again, Mr. Inspector,
23 Shannon Development does
24 not envisage the remaining lands being sterilised.

25 MR. McELLI GOTT: I won't bother asking the 14: 06
26 question again.

27 INSPECTOR: You are just getting the
28 same answer. Anybody else?

29 MR. KEARNEY: Unless he is going to

1 answer the question that
2 was put to him directly yesterday there is no point in
3 continuing.

4 **INSPECTOR:** I think you are taking the
5 same line, Mr. O'Sullivan; 14: 07
6 is that right?

7 **MR. O' SULLIVAN:** Yes, Mr. Inspector.

8 **INSPECTOR:** Okay. Anybody else have
9 any questions for
10 Mr. O'Sullivan? Well, I think that concludes that 14: 07
11 then. I have also got a request from Mr. Michael
12 Mc. . . (INTERJECTION)

13 **MR. McELLI GOTT:** Maybe I could ask Ogie
14 Moran of Shannon
15 Development does he think the same. 14: 07

16 **INSPECTOR:** Sorry?

17 **MR. McELLI GOTT:** Is Ogie Moran of Shannon
18 Development here, Ogie
19 Moran is the other representative of Shannon
20 Development, would he think the same? 14: 07

21 **MR. O' SULLIVAN:** Mr. Inspector, I have been
22 authorised by Shannon
23 Development to present the Shannon Development oral
24 submission to this hearing.

25 **MR. KEARNEY:** Sorry, Inspector, you asked 14: 08
26 yesterday that Shannon
27 Development come back with I suppose a more coherent
28 reply to our question, that doesn't seem to have
29 happened so I think that should be entered on the

1 record.

2 INSPECTOR: Who is Mr. Ogie Moran?

3 MR. O' SULLIVAN: A colleague of mine,

4 Mr. Inspector.

5 INSPECTOR: Which of you is the senior? 14: 08

6 MR. O' SULLIVAN: I am the Project Manager in

7 Shannon Development with

8 responsibilities which include the Shannon LNG project.

9 INSPECTOR: So you have seniority on

10 this project? 14: 09

11 MR. O' SULLIVAN: Yes, Mr. Inspector.

12 INSPECTOR: I don't think we can take

13 this any further.

14

15 END OF QUESTIONING OF MR. O' SULLIVAN 14: 09

16

17 I have had a request as well from Mr. Michael

18 McElligott of Tarbert Chamber of Commerce and he wishes

19 to make a brief submission so is he here now.

20 14: 09

21 MR. MICHAEL McELLI GOTT ADDRESSED THE HEARING AS FOLLOWS

22

23 MR. M. McELLI GOTT: Yes. Good afternoon

24 everybody. My name is

25 Michael McElligott, I am the chairman of the Tarbert 14: 09

26 Chamber of Commerce and we are in favour of the LNG

27 coming to the land bank and we want to make a brief

28 statement.

29

1 The proposed LNG gas terminal is coming to a land bank
2 that has been idle for more than 50 years and I think
3 everybody should keep that in mind when you are
4 discussing the LNG terminal in North Kerry. This is
5 not just about Tarbert, it is about all of North Kerry 14: 10
6 from Tralee upwards. We have had numerous promises
7 that there would be industry coming to the land bank
8 and they have all fell through. The economy is taking
9 a nose dive, if anyone listened to the news last week
10 it is getting worse. There are factories up and down 14: 10
11 through Ireland closing down, people are getting laid
12 off. Those that not getting off are being asked for
13 voluntary redundancies so we need industry in North
14 Kerry. The people that are objecting to the land bank
15 have every right to do so and I think this is a great 14: 10
16 forum for them to air their grievances; however, we
17 have a culture in Ireland and in North Kerry that you
18 cannot build a local wall or a house but people will
19 object to it and they will even go to An Bord Pleanála
20 with it. This is not unusual and I am glad that 14: 11
21 everyone that has a grievance or an objection have a
22 forum to come to here in Tralee and get that out of the
23 way.

24
25 However, Ireland of 2008 is a much, much different 14: 11
26 place than it was some years ago. There are
27 professional people here to answer every question,
28 there are professional people to deal with health and
29 safety and I know and I am happy and so are the

1 business community of Tarbert that all their questions
2 will be answered and dealt with. We have to put our
3 faith in the Irish Government and in An Bord Pleanála
4 that they will bring experts in here to ensure that the
5 gas terminal that is coming to Tarbert is going to be 14: 11
6 safe and that everything will be adhered to with all
7 the conditions they will attach to it. The business
8 community of Tarbert have made huge investments in the
9 village and the village has not progressed in 25 or 30
10 years. I mean there are no new businesses coming into 14: 11
11 the villages of North Kerry and I am not just talking
12 about Tarbert. You have Ballybunion, you have
13 Liselton, Listowel, you have Tralee, you have
14 Ballylongford, you have Glen and Foynes in the counties
15 of Limerick, now we can object to the gas terminal, but 14: 12
16 the reality is we need employment in North Kerry. The
17 Tarbert power station is going to close, you are going
18 to have a loss of 129 jobs in the next couple of years,
19 who is going to replace those jobs? Kathleen Sinnott
20 is coming here on Monday to speak. I have never in my 14: 12
21 life seen Kathleen Sinnott in Tarbert and she is the
22 only public elected official that is going to come here
23 to Tralee and object to the land bank and I think that
24 is disgraceful. Politicians, we complain about them
25 when they don't do something for us and when they bring 14: 12
26 us something we also complain. I honestly believe if
27 we put a garden centre on the land bank people would
28 still object to it so we need development in North
29 Kerry.

1
2 The business community of Tarbert are here to say that
3 we welcome LNG with open arms. We hope that Shannon
4 Development will bring more industry to the rest of the
5 land bank because it is desperately needed. That's all 14: 13
6 I have to say, thank you.

7 **INSPECTOR:** Thank you, Mr. McElligott.
8 Now, that was supposed to
9 be one of the short submissions we had yesterday.
10 I notice one hand up raising a question so the idea is 14: 13
11 that the questions would be very brief and short. With
12 that in mind Ms. Griffin?

13 **MS. GRIFFIN:** Catriona Griffin. Mike,
14 you mentioned that
15 businesses in the villages in Kerry are in decline, 14: 13
16 Tarbert included. I was born in Tarbert and I hope to
17 spend the rest of my days in Tarbert and I would put to
18 you that three of the businesses in Tarbert that have
19 been closed for many years, Tom Buckley's shop on the
20 Main Street, O'Donagh's meat market in the Square and 14: 14
21 Heaphys garage on the Listowel Road that have been
22 closed for years and years have re-opened in the last
23 twelve months.

24 **MR. M. McELLI GOTT:** To be honest, Inspector,
25 I did not plan to answer 14: 14
26 questions, we only wanted to make a statement, but what
27 Catriona says is true. Buckleys closed down, but
28 Buckleys is being leased by a pharmacy who moved from
29 Hollys shop which is now closed down because they moved

1 out of it. They applied for planning and that planning
2 application has been withdrawn at the moment. The
3 petrol station was re-opened in Tarbert last year and
4 it is now up for sale, they are just not doing the
5 business so, Catriona, I don't know if you knew that, 14: 14
6 but Stack auctioneers in Abbeyfeale have the petrol
7 station in Tarbert up for sale again. I do business in
8 Tarbert myself and I can tell you, you could lie down
9 on the street there on any given night and you won't
10 get run over it is that quiet. We need the business in 14: 14
11 Tarbert. Not just Tarbert, like I said Ballylongford,
12 every village across North Kerry, I haven't met one
13 person in Tarbert or Ballylongford or Glin that is
14 objecting to this station coming to Tarbert, we are all
15 in favour of it and I think that message needs to be 14: 15
16 put across. The vibes that are coming out on the
17 radio, on the newspapers and on television does not
18 represent the core people in North Kerry. We want
19 development here and we want LNG to come to Tarbert and
20 once again we welcome you to North Kerry. 14: 15

21 **MS. GRIFFIN:** Can I respond to that,
22 Mr. Inspector?

23 **INSPECTOR:** Even more briefly.

24 **MS. GRIFFIN:** Fair enough the people in
25 Tarbert and Ballylongford 14: 15
26 are all in favour of the project, but the people in
27 Tarbert and Ballylongford are not living 800 metres
28 from the proposed storage tanks. I would ask
29 Mr. McElligott and the people in Tarbert and

1 Ballylongford what research they have done into the
2 safety and all the other issues we have raised about
3 the LNG plant that makes them so certain that it's the
4 ideal project for the area.

5 **MR. M. McELLI GOTT:** We are not experts so we 14: 16
6 don't have to do research.

7 ms. Griffin: Neither am I.

8 **MR. M. McELLI GOTT:** We don't have to do
9 research because the Irish
10 Government have a body called An Bord Pleanála that 14: 16
11 will do that research for us. LNG have a
12 responsibility to the people of North Kerry to do that
13 research so you know I don't have to do anything as far
14 as researching goes. I don't know what else to add to
15 that, Inspector. That's the last of the questions, we 14: 16
16 came to make a statement, we have made our statement,
17 we are happy with it and we are not willing to answer
18 any more questions.

19 **INSPECTOR:** Mr. Branigan, he is not
20 prepared to answer any more 14: 16
21 questions. He has just said that, Mr. McElligott said
22 that.

23 **MR. BRANI GAN:** I have a question.

24 **INSPECTOR:** Can we get a microphone to
25 you please. 14: 17

26 **MR. BRANI GAN:** I have a question for
27 Mr. Power, a very simple
28 one, relative to the Kinsale area about the report of
29 the Joint Committee on Energy in the Department of

1 Communications and Natural Resources and later in the
2 Green Paper, there are references to the usage of the
3 Kinsale field in order to house additional gas once
4 those fields are empty. I have been trying to find the
5 specific references here, but in the Green Paper it is 14: 17
6 stated:

7 "To alleviate security of supply
8 concerns the Department and the CER
9 have authorised a storage facility at
 Kinsale which is operated by..."

10 14: 18
11 All I will ask Mr. Power, he seems to be suggesting
12 that it wasn't a practical thing to put natural gas
13 back into the field, I would like to ask Mr. Power to
14 answer that, he is the expert on it.

15 **INSPECTOR:** Okay, Mr. Branigan. I am 14: 18
16 going to ask Mr. O'Neill on
17 that one. Is Mr. Blair MacIntyre going to answer that?

18 **MR. O'NEILL:** I think that's probably
19 something more in the field
20 of Mr. MacIntyre so perhaps that question could be 14: 18
21 deferred until Mr. MacIntyre has made his presentation.

22 **INSPECTOR:** Did you hear that,
23 Mr. Branigan?

24 **MR. BRANIGAN:** No, I didn't. I am sorry.

25 **MR. O'NEILL:** What I am suggesting is 14: 19
26 that Mr. MacIntyre is going
27 to make a presentation now and he may answer those
28 issues and if he doesn't you can then ask him a
29 question, he is probably the better man to ask.

1 MR. BRANIGAN: I want to know why. Thank
2 you. Thank you, Sir.

3 MR. POWER: Mr. Inspector, we will
4 respond to that question.

5 INSPECTOR: I think it's now time for 14: 19
6 Mr. MacIntyre to make his
7 submission.

8
9 MR. MACINTYRE ADDRESSED THE ORAL HEARING AS FOLLOWS

10 14: 20
11
12 MR. MacINTYRE: Thank you, Mr. Inspector.
13 My name is Blair MacIntyre,
14 I am a Chartered Engineer licensed by the Engineering
15 Council of the UK and I hold a First Class Combined 14: 20
16 Steam & Motor Certificate as a marine engineer. I am a
17 member of the Institute of Marine Engineers, Science &
18 Technology and a member of Lloyd's Register North
19 America, USA Advisory Committee.

20 14: 20
21 I am Shipping Technology Advisor with Poten & Partners,
22 a Joint Venture owner of Shannon LNG Ltd. and my areas
23 of expertise are in LNG ships, shipping & port
24 operations and LNG cargo containment and handling.

25 14: 21
26 Prior to joining Poten & Partners in 2003, I worked
27 with Shell including 30 years in LNG shipping of which
28 nine were spent in Japan. I was manager of LNG Marine
29 Operations with a fleet of nine ships delivering LNG to

1 Japan and Korea. Latterly, I was director of Shell
2 Tankers UK and General Manager of Shell Shipping
3 Technology, responsible for worldwide design and
4 construction of oil and gas vessels and ship based
5 offshore oil and gas facilities. Other 14: 21
6 responsibilities included oil and gas terminal site
7 selection, the vetting and governance of company
8 operated port facilities and the vetting of chartered
9 ships. I served on the Technical Committee of Lloyd's
10 Register of Shipping and for ten years up to 2002 was a 14: 21
11 Director and Vice President of the Society of
12 International Gas Tanker & Terminal Operators, SIGTTO.
13

14 My involvement in the Shannon LNG project.

15 14: 22
16 I am responsible for coordinating all marine aspects of
17 the project including confirming for Hess LNG the
18 viability of the Shannon Estuary to accommodate the
19 proposed LNG ships, identifying the optimum location
20 for LNG and materials jetties and preparing the 14: 22
21 performance specification for the LNG jetty and the LNG
22 offloading equipment. During this work I liaised
23 closely with the Shannon Foynes Port Company and
24 specifically with the Shannon Estuary Harbour Master
25 and Pilot Superintendent. I also retained the services 14: 22
26 of a Master Mariner who is a former marine advisor
27 within SIGTTO, a marine superintendent with hands-on
28 oil and gas international port experience, a fellow of
29 the Royal Institute of Navigation and Chairman of its

1 Marine Traffic and Navigation Group. The work has been
2 supported by marine studies undertaken by Irish
3 Hydrodata and Fugro-Seacore, by jetty concept design
4 work carried out by Halcrow and by ship manoeuvring
5 simulations carried out at the National Maritime
6 College of Ireland, (NMCI) Ringaskiddy involving six
7 pilots from the Shannon Estuary.

14: 23

8
9 I was responsible for compiling and reviewing all the
10 marine aspects of the EIS, the principal ones being:
11 Volume 2 chapter 2, marine considerations and
12 alternatives; chapter 3, project description of marine
13 facilities; chapter 7, construction work within the
14 estuary; and volume 3 appendices 3A, 3B and 3C
15 describing shipping procedures, shipping safety and
16 major accident hazard assessment.

14: 23

14: 23

17
18 Today my principal points of evidence will cover site
19 selection for marine related LNG facilities and
20 alternative offshore location of LNG facilities.
21 I will deal with safety matters in another session.

14: 23

22
23 The primary requirement to ensure safe transfer of
24 cargo between an LNG ship and LNG terminal storage
25 tanks is fulfilled by having the ship securely berthed
26 alongside a jetty equipped with strong fender and
27 mooring arrangements for the intended ship size and
28 connected by harm-arm LNG lines protected by emergency
29 shut down and automatic disconnection systems. The

14: 24

1 berth should be located in deep sheltered waters having
2 good access to the sea and as close as practical to the
3 LNG storage tanks. The Shannon Development Landbank
4 site described in the EIS volume 2, section 2.3
5 provides all the essential elements required to achieve 14: 24
6 safe berthing and transfer of LNG cargo. This is
7 entirely consistent with the recommendations contained
8 in SIGTTO "Information paper No. 14, site selection and
9 design for LNG ports and jetties" from which the
10 following extracts referring to site selection are 14: 25
11 taken:

12 "At its most elementary level, site
13 selection for LNG loading terminals is
14 predicated by the location of
15 production areas and, at receiving
terminals, the situation is dependent
upon the location of markets. 14: 25

16 With this in mind it can be appreciated
17 that marine criteria are only part of
the overall process. Therefore, at the
18 stage of site selection input from
marine experts consists mainly in
19 optimising fleet capacity (numbers and
sizes of ships) and checking civil
20 engineering matters at the ship/shore
interface at the terminal and in the 14: 25
terminal approach area. This latter
21 aspect is achieved by obtained the
required depth of sheltered water,
22 providing good access from the sea and
achieving immediate adjacency to the
23 LNG terminal. From the marine
24 viewpoint there is little prospect to
escape from these basic factors."

25 14: 26
26 Having been identified as the preferred site I believe
27 that the proposed terminal location fits these SIGTTO
28 basic factors like a glove.
29

1 I would now like to turn to the alternative offshore
2 locations. I have experience in the concept and
3 detailed design, assessment and construction of
4 offshore LNG and oil facilities and I am familiar with
5 their characteristics. There are many actual and
6 proposed designs for offshore terminals, each have
7 different technical and commercial attributes. The
8 most frequently proposed being described in the EIS
9 volume 2 section 2.4. However, there is only one
10 operational offshore terminal in the world today, it
11 does not have any storage capacity and no substantial
12 track record having only received a few infrequent
13 cargoes.

14: 26

14: 26

14
15 Offshore LNG terminal configurations fall into two
16 broad categories. The first is fixed terminals that
17 include both storage and regasification. They either
18 rest on the seabed and are defined as Gravity Based
19 Structures or GBSSs, or they are floating, defined as
20 Floating Storage and Regasification Units or FSRUs. In
21 both cases conventional LNG ships berth alongside the
22 facility and unload their cargoes as they would at the
23 jetty of an onshore terminal.

14: 27

14: 27

24
25 In a GBS the LNG storage tanks are contained in a tall
26 concrete structure which is towed to the site, then
27 ballasted directly on to the sea floor as described in
28 the EIS. The top of the structure extends above the
29 water surface like a small manmade island which has to

14: 27

1 be connected to the gas distribution by pipeline. If
2 constructed in Ireland, a graving dock large enough to
3 accommodate fabrication and subsequent floor type of
4 the GBS would need to be created. It is anticipated
5 that the environmental impacts associated with the 14: 28
6 construction of such a graving dock would, for most
7 potential sites in the region, be equal to or greater
8 than those for the onshore alternative.
9

10 GBS terminals require a narrow range of water depths, 14: 28
11 between 15 and 30 metres, relatively gentle seabed
12 slopes and soft seabed soils. In Ireland such
13 conditions are only likely to be found within estuaries
14 or sheltered bays. The deployment of a GBS would be
15 limited to more sheltered waters close to the shore, 14: 28
16 such as within estuaries, but it would still experience
17 more adverse wind and sea conditions than an onshore
18 terminal. Siting such a facility within an estuary or
19 elsewhere close to the shore would negate one of the
20 claimed advantages, namely that the facility and ships 14: 28
21 supplying it would be located far from the land and the
22 population.
23

24 No terminals of this type exist, most proposals have
25 been abandoned and only one is under construction. As 14: 29
26 initial investment costs have proved to be much higher
27 than expected, the commercial viability as a source of
28 long-term gas supply of this offshore design is highly
29 questionable. Given the lack of operating experience,

1 and the extremely high cost and potential environmental
2 impact of construction, pursuing such a terminal in
3 Ireland would be highly speculative and would
4 dramatically increase the risk of economic and
5 technical failure.

14: 29

6 With a floating or an FSRU terminal, as described in
7 the EIS, LNG storage and regasification facilities are
8 provided on board a floating vessel moored to a
9 permanent unloading buoy. The FSRU hull has to have a
10 larger capacity than the largest LNG ship expected to
11 discharge into it. Optimal water depth for a floating
12 terminal system is 30 to 50 metres. Based on
13 information filed for a proposed FSRU, LNG ships can
14 only come alongside and depart from these facilities in
15 wave heights less than 2 metres and can only unload in
16 wave heights less than 3 metres. As in the case of a
17 GBS terminal, this implies the facility must be located
18 in relatively sheltered waters near to the shore if
19 security of gas supply is to be assured.

14: 29

14: 30

14: 30

21 An FSRU terminal is essentially similar to a very large
22 LNG ship and as such must be constructed in a shipyard.
23 Maintenance to ship based floating structures in the
24 oil industry invariably requires them to be completely
25 shut down on station for specific periods or removed
26 off station to a ship repair yard involving an even
27 longer shut down period. Either alternative would
28 result in the LNG terminal being unable to provide
29 continuous security of supply.

14: 30

1
2 No example of an FSRU terminal exists today and none
3 are even under construction. Pursuing such a terminal
4 in Ireland would involve high technical and operational
5 risk.

14: 31

6 A common feature of offshore terminals, either GBS
7 grounded type or FSRU floating type, recorded in the
8 EIS is that they are exposed to more adverse weather
9 conditions than onshore terminal; therefore, they
10 require ships with increased strength mooring equipment
11 and cargo transfer arrangements able to tolerate an
12 extended range of movements. Such requirements usually
13 translate into the need for the LNG deliveries to be
14 made by specifically modified ships potentially
15 eliminating the use of the majority of the world's
16 fleet.

14: 31

14: 31

17
18 In the oil industry offshore cargo transfer operations
19 are invariably carried out through flexible hoses.
20 Although these generally give reliable service, the LPG
21 industry has experienced some serious accidents
22 involving rupture of cargo transfer hoses. Cryogenic
23 flexible hoses have been developed for LNG service, but
24 to date have only been used infrequently under
25 emergency conditions or under strictly controlled
26 situations in very calm waters and at low transfer
27 rates. There are no agreed industry guidelines for LNG
28 ship to ship transfer. The only commercial LNG
29 transfer operations that have been carried out to date

14: 31

14: 32

1 have been in very calm waters such as the single
2 exercise carried out within Scapa Flow in Scotland, not
3 in the offshore locations where conditions can be
4 totally unsuitable. See figures 1 and 2 which show
5 North Sea offshore conditions and figures 3 and 4 which 14: 32
6 show offshore support vessels of the size that would be
7 required to act as berthing tugs, standby vessels and
8 fire vessels during LNG transfer. Similar weather
9 conditions to the ones illustrated can and do occur off
10 the Irish coast especially during the winter months 14: 33
11 when reliable gas supplies are most needed. It would
12 not be possible for an LNG ship to approach a GBS or
13 FSRU terminal in even moderate weather conditions.

14
15 Offshore LNG facilities require LNG transfer equipment 14: 33
16 capable of operating reliably in offshore conditions.
17 At this time there are no proven flexible hoses with a
18 reliable track record in LNG service. The onshore
19 industry has established a high safety record of LNG
20 cargo transfers employing hard-arm connections and has 14: 33
21 developed effective safety devices to protect them and
22 minimise release of cargo in the rare event of the
23 movement of the ship during unloading. No such systems
24 are available for exposed offshore locations and the
25 concept designs that exist would require a fleet of 14: 34
26 special modified non-standard ships.

27
28 I, therefore, believe that the combination of adverse
29 weather conditions and the lack of suitable LNG

1 transfer equipment capable of providing safe and
2 reliable service under such conditions is sufficient to
3 rule out offshore GBS and FSRU terminals except in the
4 most calm locations.

14: 34

6 The second category of offshore terminals involving
7 submerged offshore buoy technology, as described in the
8 EIS, have no storage except for the inventory of LNG in
9 the cargo tanks of the ship when it arrives. The
10 regasification equipment is located on board ship and 14: 34
11 also comes with the LNG ship when it arrives. This
12 type is usually referred to as LNG Regasification
13 Vessels or LNGRVs. They typically regasify the LNG on
14 board and discharge the gas through a patented
15 submerged buoy system which locks into a recess in the 14: 35
16 bottom of the ship and also anchors the ship in
17 position while it is unloading. The entire operation
18 takes about five to seven days to complete during which
19 time the ship remains on the buoy. From the buoy the
20 gas goes through a flexible line or riser from the 14: 35
21 seabed which is connected to a submarine pipeline
22 leading to the shore. There are some other concept
23 designs having regasification equipment mounted on the
24 fixed or floating unit alongside the LNG ship, but none
25 of the proposals have any independent LNG storage 14: 35
26 capacity. Neither do they have the ability to adjust
27 the quality of the gas to meet the shore pipeline
28 specification prior to injection.

1 The submerged buoy is anchored to the seabed and can
2 only be accessed by specially designed LNG ships. The
3 only offshore submerged LNG buoy system in the world is
4 in the Gulf of Mexico and although it has been in place
5 for nearly three years it has received very few
6 cargoes. Another submerged buoy terminal is being
7 installed in Boston Harbour. To supply gas on an
8 uninterpreted basis it would be necessary to use two
9 submerged buoys allowing a fleet of LNGRVs to overlap
10 their arrivals and departures. Otherwise gas
11 deliveries would have to be suspended during the period
12 when one LNGRV completes its unloading and disconnects
13 and the next one arrives, connects and commences
14 unloading. A feature of this arrangement common to all
15 gas and oil vessels, either loading or discharging the
16 buoy system, is that the product flows through a
17 flexible hose connected under the buoy. Such out of
18 sight pieces of equipment subjected to the constant
19 fatigue inducing movements of the ocean have not been
20 trouble free. They have experienced unpredicted
21 failures, the most recent having resulted in a very
22 large oil pollution incident in the North Sea as shown
23 in figure 5 now on the screen.

14: 36

14: 36

14: 36

14: 37

24
25 Given the limited operating history of the single
26 existing facility of this type, the need to use special
27 LNGRV ships and the reliance on high pressure flexible
28 hoses, this design creates technical and reliability
29 concerns. The lack of storage capacity and the very

14: 37

1 low activity at the existing terminal in the US Gulf of
2 Mexico also raise questions at its commercial viability
3 as a source of long-term gas supply.
4

5 Mr. Inspector, I would like now to respond to some 14: 37
6 submissions made to An Bord Pleanála. The first
7 submission from Adam Kearney Associates refers to other
8 terminals are located in developed port areas. I would
9 respond to that that LNG terminals can be found in
10 fully developed ports, e.g. Zeebrugge and Barcelona; in 14: 38
11 semi developed rural area e.g. Isle of Grain and
12 Milford Haven. South Hook LNG terminal is partly
13 within the Pembrokeshire National Park and the Milford
14 Haven Waterway is part of the Pembrokeshire Marine SAC
15 within which both South Hook and Dragon LNG jetties are 14: 38
16 located. Other terminals are located in undeveloped
17 rural areas such as Cove Point, Elba Island and Costa
18 Azul. Developed ports in Ireland were considered in
19 the alternative analysis as described in the EIS and by
20 Paddy power in his witness statement. 14: 38
21

22 The next submission which was from the Sea Energy Group
23 suggests:

24 "There is a need for diversity of
25 energy supply and LNG should be 14: 39
26 included. The concept of a storage
27 facility offshore which combines within
28 its structure wave energy, offshore
wind and tidal flow strikes me as a
much more attractive proposition."

29 In response Shannon LNG is not aware of any proposed

1 project anywhere in the world which combines an LNG
2 receiving terminal with wave, wind and tidal energy
3 production facilities, nor does Shannon LNG have any
4 idea as to what such a structure would look like or
5 what its technical or commercial viability might be. 14: 39
6 As such, Shannon LNG cannot comment on this proposal,
7 but we would note that if Sea Energy Group wishes to
8 pursue such a facility nothing in Shannon LNG's
9 proposed project prevents Sea Energy from doing so.

10
11 It has been proposed that alternative sources of energy
12 rather than LNG could be tapped such as wave or tidal
13 current energy. While there are many concept designs
14 in existence, the reality of capturing such energy in a
15 commercial manner still faces huge technical challenges 14: 40
16 and also raises many environmental issues.

17
18 Wave energy like wind power is unpredictable and many
19 prototype devices have been unable to withstand the
20 full power of the oceans, something which my own 14: 40
21 maritime experience has led me to respect. Unlike
22 ships these devices have to permanently installed in
23 one location and cannot seek shelter when the weather
24 deteriorates. Constructing devices that can withstand
25 storm damage and saltwater corrosion generally leads to 14: 40
26 heavy weight designs or the employment of exotic
27 materials which are neither operationally inefficient
28 or prohibitively costly.

1 The harnessing of tidal current energy although more
2 predictable raises many environmental issues especially
3 where dams or barrages are proposed across estuaries or
4 where underwater tidal turbine farms are proposed.

14: 41

6 The following extracts are taken from a study "Ocean
7 Energy in Ireland" prepared for the Department of
8 Communications, Marine and Natural Resources in October
9 2005. In that report it describes issues facing ocean
10 energy on page 9:

14: 41

11 "Technology development remains the
12 critical issue for ocean energy
13 systems. There have been a handful of
14 prototype developments at sea,
15 including most recently the Pelamis
16 wave energy converter and the Seaflow
17 marine current turbine, both in the UK,
18 and onshore wave energy devices have
19 been operational for many years.
20 However there are many more examples of
troubled prototype testing, or device
concepts that have languished in the
laboratory for years. There is a need
for a successful commercial device to
reach the market and provide access to
data verifying that ocean energy is
economically viable."

14: 41

14: 42

21 Another study carried out for the UK DTI concluded as
22 follows:

23 "In some respects the tidal turbine
24 energy of 2006 is comparable to the
25 wind industry of the early 1970s with a
26 large number of possible permutations
27 of the various design options, a
28 diversity of approach and a shortage of
hard evidence as to which prototypes
are likely to have a commercial
future."

14: 42

29 The next submission from DB Marine Research &

1 Associates:

2 "LNG can be delivered, converted to gas
3 on board the carrying tanker and pumped
4 into an offshore gas cavern such as the
5 now nearly depleted Kinsale field and
as recommended by the Joint Committee
on Marine and Natural Resources JCMNR. "

14: 43

6
7 In response I would say that the current technology for
8 on board regasification is described in the EIS and as
9 discussed in my witness statement. Technical and
10 reliability concerns coupled with the lack of storage
11 capacity and the very low activity in the existing
12 terminal in the US Gulf of Mexico designed to accept
13 special ships with on board regasification equipment
14 raises questions as to its technical and commercial
15 viability as a source of long-term gas supply. The
16 JCMRN actually stated that:

14: 43

14: 43

17 "The full potential of this method of
18 storage needs to be explored,
19 quantified and costed."

20 Which in fact is a call for research as opposed to a
21 recommendation for adoption. The issue of using the
22 Kinsale field infrastructure is addressed separately by
23 Paddy Power.

14: 43

24
25 The next submission from Friends of the Irish
26 Environment regards alternative analysis did not
27 properly address locations near to populations or
28 riparian location.

14: 44

1 The issue of potential risk to populations are
2 addressed in the QRA submitted to the HSA. Riparian
3 location and the impact to the waters of the Shannon
4 Estuary are addressed in later witness statements by
5 Dr. Andrew Franks.

14: 44

6 The next was an oral submission by Mr. John McElligott
7 yesterday which stated that Italy does not have any
8 onshore LNG terminals.

9
10 Shannon LNG would respond that the Panigaglia LNG
11 terminal near Genoa has been in operation since 1971
12 and Brindisi on the heel of Italy on the east side is
13 under construction at this time.

14: 44

14
15 The next oral submission also from John McElligott said
16 that Golar LNG are deploying two offshore FSRUs in
17 Brazil.

14: 45

18
19 Shannon LNG would respond that Petrobras, the Brazilian
20 national oil and gas company, has signed ten year
21 charters for two existing Golar LNG ships which will be
22 converted to FSRUs and moored alongside jetties in
23 Brazil, not in offshore locations. They are intended
24 to be employed for a quick start-up supply of gas
25 principally for onshore power generation while
26 conventional shore terminals with storage tanks are
27 constructed.

14: 45

14: 45

28
29 The next oral submission also by Mr. John McElligott

1 said that ExxonMobil are experienced LNG terminal
2 operators.

3
4 Shannon LNG would respond that ExxonMobil do not
5 operate and have not operated any LNG regasification
6 terminals. 14: 46

7
8 The next oral submission by Mr. John McElligott said
9 that ExxonMobil have submitted a planning application
10 for a Blue Ocean Energy offshore LNG terminal to be 14: 46
11 located 20 miles off New York.

12
13 Shannon LNG would respond that ExxonMobil have not
14 submitted any planning application to any permitting
15 authority with respect to the Blue Ocean Energy 14: 46
16 project. ExxonMobil have only made a press release of
17 concept publicity material giving no detail of the
18 project proposed timescale. Although the sea
19 conditions off New York are more moderate than off
20 Ireland the project, if it succeeds, will face 14: 46
21 challenging technical issues.

22
23 In conclusion, Mr. Inspector, I would say that
24 accordingly it is my view that the Shannon Estuary
25 provides ideal safe deep water access for the proposed 14: 47
26 large LNG ships of up to 265,000 cubic metre capacity
27 and that a jetty can be constructed at the location
28 proposed in the EIS to safely and securely berth and
29 unload the vessels.

1
2 The geography of the Irish coastline and the weather
3 conditions it experiences do not favour the alternative
4 of offshore facilities given the current lack of
5 suitable LNG handling, transfer and storage technology. 14: 47
6 Thank you, Mr. Inspector.

7
8 END OF SUBMISSION OF MR. MACINTYRE
9

10 INSPECTOR: Thank you, Mr. MacIntyre. 14: 47
11 Mr. O'Neill?

12 MR. O'NEILL: I have one further
13 presentation to make in
14 this module in relation to planning and policy and with
15 your leave I will do so now and then perhaps questions 14: 47
16 can be addressed on any of the issues arising in the
17 last three submissions to the appropriate personnel.

18 INSPECTOR: Okay.

19 MR. O'NEILL: It is going to be delivered
20 by Ms. Ri a Lyden. 14: 48
21

22 MS. LYDEN ADDRESSED THE ORAL HEARING AS FOLLOWS
23

24 MR. LYDEN: Qual i f i c a t i o n s and
25 experience. My name i s Ri a 14: 49
26 Lyden. I am an Associate Director of Arup Consulting
27 Engineers. I have a Bachelor of Engineering Degree in
28 Civil Engineering and Master of Business Administration
29 Degree. Both degrees are from University College Cork.

1 I am a Chartered Engineer, I am a Fellow of the
2 Institution of Engineers of Ireland and a member of the
3 Institution of Structural Engineers. I have worked as
4 a civil and environmental engineer for 27 years.

14: 49

5
6 Since 1992 I have prepared or supervised the
7 preparation of numerous Environmental Impact Statements
8 for a wide range of industrial, infrastructure,
9 institutional, commercial and residential projects.

14: 49

10
11 Arup Consulting Engineers is a multidisciplinary firm
12 of consulting engineers based in Ireland. The scope of
13 work on Arup Consulting Engineers on the Shannon LNG
14 project included the preparation of the Environmental
15 Impact Statement.

14: 50

16
17 **Project Involvement.** My role was to supervise the
18 preparation of the EIS and I prepared the section of
19 chapter 4 of the EIS on national and local plans and
20 policies. My evidence will be an overview of the
21 national, regional and local planning and policy
22 framework of the Shannon LNG project.

14: 50

23
24 **Plans and Policies.** Mr. Paddy Power has given evidence
25 to show that the Shannon LNG terminal project will
26 further the objectives of the European Union's energy
27 policies and the Irish Government's energy policies.
28 My evidence will cover the Kerry County Development
29 Plan, the Tarbert Local Area Plan, the Ballylongford

14: 50

1 Local Area Plan, the National Spatial Strategy, the
2 Southwest Regional Planning Guidelines, the National
3 Development Plan and the Strategic Plan for the Shannon
4 Estuary.

5
6 **Kerry County Development Plan 2003-2009.** The Kerry
7 County Development Plan 2003 provides the overall plan
8 for sustainable development in the county. The plan
9 provides a coherent integrated statement of the
10 policies and objectives that need to be implemented in 14: 51
11 order to achieve the vision of how the county is to
12 develop in the future. The Shannon LNG terminal
13 project is reviewed in the context of the Plan's
14 objectives in section 4.6 of volume 2 of the EIS.

15
16 In their submission to the Board, Kerry County Council
17 has compiled a list of objectives of the Kerry County
18 Development Plan which have relevance to the Shannon
19 LNG terminal project. This list is reproduced in
20 appendix 1 below to my document here. 14: 51

21
22 Amongst the overall objectives of particular relevance
23 to the Shannon LNG project are: The references as
24 given are in the Kerry County Development Plan. So
25 ECO 2-1: Encourage economic and employment growth in a 14: 52
26 sustainable manner and in accordance with the
27 principles and objectives of this Development Plan.

28
29 ECO 2-2: Ensure the county maximises its potential as

1 a functional area to create the critical mass necessary
2 for economic growth.

3
4 ECO 2-6: Identify lands in key strategic locations
5 that are particularly suitable for development by 14: 52
6 specific sectors. Land in such locations will form
7 part of a strategic reserve that would be protected
8 from inappropriate development that would prejudice its
9 long-term development for these uses.

10 14: 52
11 The overall objectives in relation to employment and
12 economic development include: ECO 5-1: General
13 strategy. Encourage economic and employment growth in
14 sustainable manner and in accordance with the
15 principles and objectives of this Development Plan. 14: 53
16

17 ECO 5-2: Maximising economic potential. Ensure the
18 county maximises its potential as a functional area to
19 create the critical mass necessary for economic growth.

20 14: 53
21 As outlined in section 4.6.2 of volume 2 of the EIS the
22 plan states that the majority of lands zoned for
23 industrial use throughout the county would be within
24 the urban zones. However, there are instances where
25 lands outside of urban areas may be zoned for 14: 53
26 industrial purposes. These reasons relate primarily to
27 the strategic location of the lands or to locations
28 where there is a need for industrial land in the area
29 and where no alternative provision can be made. In

1 this respect the plan has identified the lands in the
2 Ballylongford/Tarbert area in which the proposed
3 Shannon terminal is located as suitable for development
4 as a premier deep water port facility and for major
5 industrial development and employment creation.

14: 54

6 It is also an objective of the Plan to facilitate the
7 provision of the necessary infrastructure required to
8 promote the sustainable development of the county and
9 to facilitate the provision of the infrastructure
10 necessary to cater for the needs of industry.

14: 54

11
12 A key concern in relation to the provision of
13 infrastructure in Co. Kerry is the issue of
14 peripherality:

15 "One of the greatest difficulties faced
16 by Kerry is its peripherality. The
17 provision of proper external
18 infrastructure linkages from the county
19 to the national and international
20 infrastructural networks reduces the
impact of peripherality and makes the
county more attractive for the location
of industry."

14: 54

14: 55

21 The Plan states that one of Kerry County Council's
22 roles as a planning authority is to assess proposals in
23 relation to the supply and distribution of power
24 throughout the county. This includes the provision of
25 power from both conventional (peat coal and gas etc.)
26 and renewable sources and the necessary network
27 infrastructure to serve these. There is a strong
28 emphasis in the Plan on the preservation of the
29 national environment and the heritage of the county and

14: 55

any development must meet this requirement.

Objective EN 10-1: It is an objective of the Council to take all necessary measures to prevent pollution in order to maintain the maximum quality of the environment of Co. Kerry.

14: 55

EN 10-17: Ensure that development likely to have serious adverse effects on the areas listed will not normally be permitted. The designation of sites does not imply a total restriction on all development; however, there will be a presumption against certain damaging types of development.

14: 56

EN 10-19: It is an objective to maintain the conservation value of those sites identified by Dúchas, The Heritage Service as Specials Areas of Conservation as well as any other sites that may be so identified during the lifetime of this plan.

14: 56

EN 10-21: It is an objective to maintain the conservation value of all Natural Heritage Areas for designation by Dúchas for proposed -- sorry, do you mind if I read that again. It is an objective to maintain the conservation value of all Natural Heritage Areas proposed for designation by Dúchas, The Heritage Service, during the lifetime of this plan.

14: 56

14: 56

The objectives of the plan in relation to landscape or

1 visual amenity will be addressed in the evidence of
2 Mr. Thomas Burns.

3
4 The proposed Shannon LNG terminal project is in line
5 with the objectives of the Kerry County Development 14: 57
6 Plan 2003. The terminal will be key infrastructure to
7 cater for the needs of industry in Kerry as well as
8 countrywide. It will be a premier deep water port
9 facility and will bring industrial development and
10 create employment on a site identified as suitable for 14: 57
11 such development, while maintaining the requirement of
12 protection of the environment and maintaining the
13 conservation value of the designated sites.

14
15 **Variation to the Kerry County Development Plan** 14: 57
16 **2003-2009.** In March 2007 Kerry County Council made

17 variation No. 7 to the Kerry County Development Plan
18 and rezoned 188.8 hectares, which is 466.53 acres, of
19 the Shannon Development land bank at Ballylongford.
20 The lands which accompanied the variation are attached 14: 58
21 to this statement. Mr. Inspector, I will refer you to
22 them now. These maps are at the back of the document
23 (indicating) and so if you can have a look at the map.
24 Included in the rezoning was 105 hectares, which is
25 261.43 acres, which were rezoned from rural general to 14: 58
26 industrial zoning. The Shannon LNG is located on this
27 land. This is the land which is in the eastern part of
28 the map. If you look at the smaller map No. 3 and the
29 eastern portion of land is where the Shannon LNG

terminal is located. 83 hectares, which are 205.1 acres, of land to the west of the Shannon LNG were rezoned from secondary special amenity to industrial zoning.

As concluded in section 4.6.3 of volume 2 of the EIS the site of the proposed LNG terminal is, therefore, zoned industrial.

The stated purpose of the variation was as follows:

"The purpose of the variation is to facilitate consideration of suitable development of these lands in accordance with the provisions of section 5.2.9 of the Kerry County Development Plan 2003-2009 which states:

'Lands have been identified at Ballylongford/Tarbert as suitable for development as a premier deep water port and for major industrial development and employment creation'.

The adoption of this variation gives effect to objective ECO 5-5 of the Kerry County Development Plan which states:

'It is an objective of Kerry County Council to identify lands in key strategic locations that are particularly suitable for development that may be required by specific sectors. Land in such locations will form part of a strategic reserve that will be protected from inappropriate development that would prejudice its long-term development for these uses'."

The Shannon project is in accordance with the objective of the variation. Mr. Michael Biggane will give

1 evidence on the local employment to be generated by the
2 LNG terminal. Mr. Andy Franks will give evidence that
3 the LNG terminal will not restrict other industrial
4 uses of the remaining Shannon Development land.

15: 01

6 At this point I would like to correct figure 5.1 in
7 volume 3 of the EIS. The industrial zoning stops at
8 the shoreline and does not extend to the jetties.

10 **Tarbert Local Area Plan 2006.** The Tarbert Local Area
11 Plan 2006 was addressed in section 4.6.4 of volume 2 of
12 the EIS. The Tarbert Local Area Plan is consistent
13 with the policies, provisions and objectives of the
14 Kerry County Development Plan, National Guidelines, and
15 the Kerry County Development Board policies. This plan
16 in conjunction with the Kerry County Development Plan
17 will provide the framework for future development
18 decisions. The development strategy for Tarbert is to
19 enhance the town's physical assets and promote economic
20 growth. The plan also provides for the protection of
21 scenic and wildlife areas.

15: 01

15: 01

15: 02

23 In relation to industrial development the Plan notes
24 that Tarbert has a locational advantage which could if
25 capitalised upon generate demand for industrial
26 activities. It also comments on the industrial land,
27 that's the Shannon Development land bank, to the west
28 of the town. A large bank of industrial land to the
29 west of the town is envisaged for port related

15: 02

1 industrial uses. There are no immediate plans for the
2 land bank, but continued national growth may generate
3 opportunities.

4
5 The proposed development accords with the Tarbert Local
6 Area Plan as it will promote the economic growth of the
7 local area.

8
9 **Ballylongford Local Area Plan 2007.** The North Kerry
10 Settlements Local Area Plan, which includes Local Area
11 Plan for Ballylongford, was adopted in 2007. The Local
12 Area Plan for Ballylongford notes that the population
13 of Ballylongford has declined in recent years which has
14 resulted the loss of local services and closure of
15 local businesses. However, as noted in the Plan:

16 "A number of factors may contribute to
17 the revival of the local economy.
18 Development on foot of this Plan will
19 contribute to an increase in population
20 necessary to halt and reverse the
gradual decline in services and provide
a measure of local employment.

21 The industrial land known as
22 Ballylongford land bank is
approximately two kilometres to the
23 north of the village and comprises 600
acres, 281 of which is proposed to be
24 developed as a liquefied natural gas
import terminal. This development
25 would, over a three year period,
provide between 250 to 750 construction
26 jobs at any one point in construction.
On completion of the terminal there
would be 50 permanent jobs."

27
28 The proposed development would contribute to the
29 revival of local business and would thus promote the

objectives of the Ballylongford Local Area Plan 2007.

National Spatial Strategy 2002-2020. The National Spatial Strategy 2002-2020 was addressed in section 4.5.2 of volume 2 of the EIS. The purpose of the National Spatial Strategy is to provide a spatial dimension to the development policy set out in the National Development Plan. The strategy is a 20 year plan designed to deliver more balanced social, economic and physical development between regions. The Strategy proposes a significant redistribution of economic growth from Dublin and the mid-east to the west of the country. It outlines four main messages for the regional approach to spatial planning, namely that:

Frameworks for spatial planning of cities around the country and their catchments must be developed and implemented; the county town and large town structures must be strengthened; a renewed emphasis is needed on the potential role of small town and village structure; key rural assets must be protected and local potential of rural areas developed.

In relation to the south west (the counties Cork and Kerry) the National Spatial Strategy states that balanced regional development will be dependent on the development of Kerry:

"Enhancing the contribution of the South West to balanced regional development will also be critically

1 dependent on the development of Kerry.
2 This will be driven by combining the
3 complementary strengths of Tralee and
4 Killarney as a hub and building on
5 their track record and established
6 residential, employment, retailing,
7 education, transport and services
8 functions."

15: 06

6 In relation to the mid west, which are the counties
7 Clare, Limerick and North Tipperary, the National
8 Spatial Strategy states that the development of this
9 region will require the enhancement of the functioning
10 of the Limerick Shannon gateway at the national
11 international level:

15: 06

12 "The contribution to balanced regional
13 development of the Mid-West (counties
14 Clare, Limerick and North Tipperary)
15 will require the enhancement of the
16 performance of the Limerick Shannon
17 gateway at the national/international
18 level. This is needed to lever
19 additional investment for the overall
20 region through its critical mass,
21 strategic location, capacity for
22 innovation and development and
23 connections within the national
24 transport framework."

15: 06

20 Enhancing the choices and robustness of energy supply
21 is described a prime consideration in relation to
22 spatial policies:

15: 07

23 "Prime consideration in terms of
24 spatial policies relating to energy
25 include:

15: 07

26 Developing energy infrastructure on an
27 all island basis to the practical and
28 mutual benefit of both the Republic and
29 Northern Ireland;

strengthening energy networks in the
west, the north west, border and north
eastern areas in particular;

1 enhancing both the robustness and
2 security of energy supply across the
3 regions through improvements to the
4 national grids for electricity and
5 gas."

5 The proposed development accords with the provisions of 15: 07
6 the National Spatial Strategy. The proposed
7 development will provide an alternative source of gas
8 supply to the island of Ireland, thus enhancing
9 security of supply in a sustainable manner to the whole
10 island. The establishment of gas infrastructure to 15: 08
11 North Kerry and West Limerick will strengthen the gas
12 grid in the region as well as nationally and contribute
13 to the balanced regional development by enhancing the
14 choices of energy supply.

15 15: 08
16 **South West Regional Plan Authority - Regional Planning**
17 **Guidelines 2004.** Section 4.5.4 of volume 2 of the EIS
18 addresses the South West Regional Planning Guidelines
19 and these are referred to later as RPGs. The aim of
20 the guidelines is to act as a bridge between national 15: 08
21 and local plans setting out objectives for the
22 achievement of sustainable growth and prosperity of the
23 region over a 16 year period, which is 2004 to 2020.
24 These Guidelines were produced before the adoption of
25 the 2003 County Development Plan which is why the 15: 08
26 reference in the text is to the 'draft' 2003 plan. The
27 Guidelines promote growth in line with the National
28 Spatial Strategy and the draft 2003 Kerry County
29 Development Plan. The Guidelines highlight the need to

1 develop energy infrastructure in the southwest to act
2 as a stimulus to economic development:

3 "An extension off the (gas) network to
4 the Kerry hub, if economically
5 feasible, will help provide an
6 alternative energy supply and act as a
7 stimulus to economic development and
8 its extension is supported by the RPGs.
9 Planning authorities should take into
10 account the location of strategic gas
11 infrastructure when planning policies
12 is being considered and similarly when
13 considering detailed layout of
14 development at the planning application
15 stage to as far as possible avoid the
16 need for relocation of gas transmission
17 infrastructure."

15: 09

15: 09

12 The Guidelines also state:

13 "Gas provides an excellent form of
14 energy and can be a key catalyst in
15 securing industrial development. As
16 such, its rollout is strongly supported
17 by these Guidelines."

15: 10

17 The Shannon LNG terminal will be a key element of gas
18 infrastructure development and will assist in the
19 economic development of North Kerry, thus furthering
20 the objectives of the Regional Planning Guidelines.

15: 10

21
22 **Mid West Regional Planning Guidelines 2004.** The Mid
23 West Regional Planning Guidelines 2004 set out the
24 regional development strategy and Regional Planning
25 Guidelines for Co. Clare, Limerick City and County and
26 North Tipperary.

15: 10

27
28 The Shannon Estuary is seen as a major resource in the
29 region. In the review of the region in relation to the

1 Shannon Estuary the Guidelines recognise that the
2 Shannon Estuary presents significant possibilities
3 including:

4 "Large scale industrial sites with
5 potential at Askeaton and
6 Ballylongford."

15: 11

7 There are a number of development theme for the region
8 including a theme for energy:

9 "Ensure that the energy needs of the
10 region are met and that the provision
11 of energy resources is speedy and
12 without administrative delay."
Promotion of renewable energy."

15: 11

13 Chapter 3 of the Guidelines address the key issues for
14 the region including:

15 "Connectivity: The future growth of
16 the region will be absolutely dependent
17 on how well the region can engage with
18 national and international players
19 whether through e-trade, air transport,
shipping or domestic surface
transport."

15: 11

20 The development strategy proposed in the Guidelines is
21 based on the needs of the different zones into which
22 the region is divided. West Clare is zone 3. Amongst
23 issues of the zone are population decline. The
24 development potential of the zone includes it acting
25 as:

15: 11

26 "Centre for specialised regional,
27 social and commercial facilities e.g.
28 Shannon Estuary and Atlantic based
29 activity."

15: 12

1 The Shannon LNG project will further the objectives of
2 the Mid West Regional Planning Guidelines in that it
3 will help fulfil the potential of the region by
4 developing the site at Ballylongford for industrial use
5 and utilising the marine resources of the Shannon
6 Estuary for economic development.

15: 12

7
8 **National Development Plan 2007-2013.** The €184 billion
9 National Development Plan 2007-2013 builds on the
10 significant social and economic achievements of the
11 National Development Plan 2000-2006 launched in January
12 2007 and entitled "Transforming Ireland - a better
13 quality of life for all". This new seven year plan is
14 a major milestone in building a prosperous Ireland for
15 all characterised by sustainable economic growth,
16 greater social inclusion and balanced regional
17 development. The Shannon LNG terminal project was
18 reviewed in the context of the objectives of the
19 National Development Plan in section 4.5.1 of volume 2
20 of the EIS.

15: 12

15: 13

15: 13

21
22 The main objectives of the plan include:

23 "The improvement of structural
24 infrastructure deficits in order to
25 increase competitiveness, regional
26 development and to meet the demands of
the growing population;

15: 13

27 the enhancement of enterprise
28 development, science, technology and
29 innovation, working age training and
skills provision, in order to create a
much economic performance to be more
competitive and to increase the
capacity to generate more enterprise

1 from both national and foreign
2 investment;

3 the integration of regional development
4 within the national spatial strategy
5 framework of gateway cities and hub
6 towns in order to achieve economic
7 growth in the regions and major
8 investment in the rural economy;

15: 14

9 the investment in long-term
10 environmental sustainability to (a)
11 preserve the integrity of our natural
12 environment for future generations and
13 (b) meet our climate change
14 commitments;

15 the promotion of an all-island
16 strengthening in collaboration in areas
17 of infrastructure, research and
18 development, skills and innovation and
19 the provision of public services;

15: 14

20 the promotion of social inclusion and;
21 the provision of value for taxpayers'
22 money."

15: 15

23 The overall objective of the energy programme of the
24 Plan will be to ensure security of supply nationally
25 and regionally, a supply which is competitively priced
26 and for the long-term while meeting a high level of
27 environmental standards. The energy programme will
28 even include some 8.5 billion investment in energy over
29 the planned period. The strategic infrastructure
subprogramme has been allocated €1.2 billion of that
investment. This will be funded by the Exchequer and
capital investments by ESB, Bord Gáis Éireann, Bord Na
Móna and EirGrid.

15: 15

15: 15

30 The Plan states that the:

"Ability of the economy to perform

1 successfully depends critically on the
2 supply of adequate, affordable and
3 environmentally sustainable energy.
4 Security of supply is of paramount
5 importance to ensuring the continued
6 economic development of the country and
7 the spending under this plan will help
8 ensure that objective. Without an
9 expectation and delivery of the secure
10 supply of energy, investment and output
11 of the economy will suffer. Therefore,
12 during the Plan period there will be
13 significant investment in crucial
14 infrastructure."

15: 16

9 The Plan also states that security of energy supply and
10 lessening the dependence on any one source of energy or
11 fuel type will be a key challenge in ensuring the
12 efficient operation of a competitive energy market.
13 Over the period 2005-2010 energy demand is projected to
14 increase by 1.6% per annum this and level of increase
15 can be expected to be maintained to 2013. Within this
16 overall growth figure annual electricity demand is
17 expected to grow by 3.1% and annual gas demand is
18 expected to grow by 6.5%. The Plan states that demand
19 for energy must be managed in a sustainable way. The
20 Plan also underpins many of the actions and targets
21 listed in the EU Energy Green Paper 2006 to which
22 Mr. Paddy Power has made reference in his evidence.

15: 16

15: 16

15: 17

23
24 Mr. Inspector, in the EIS section 4.5.1 of volume 2 in
25 this context the EU energy Green Paper 2006 was
26 incorrectly referred to as the EU Energy White Paper
27 2007.

15: 17

28
29 The proposed Shannon LNG terminal, which will be

1 developed using private funds, accords with the
2 objective of the National Development Plan. As
3 explained by Mr. Paddy Power in his evidence the
4 proposed terminal will be able to source natural gas
5 for a diverse worldwide range of countries and 15: 18
6 suppliers thus enhancing security of supply and
7 ensuring a diversity of energy supply to compete with
8 oil or coal in a sustainable manner. It will also
9 contribute to the improvement of energy infrastructure
10 in Ireland and will promote regional development in the 15: 18
11 North Kerry area. The project represents a major
12 investment by private funds in the rural economy.
13

14 Strategic Plan for the Shannon Estuary.

15 15: 18

16 In the pre-application consultations with the Board,
17 Shannon LNG were advised that the Board in its
18 consideration of the project would have regard to how
19 the proposed development would comply with the
20 objectives of any strategic plan for port development 15: 18
21 on the Shannon Estuary. This is why information on the
22 Department of Transport's strategic policies in
23 relation to ports and Shannon Foynes Port Company's
24 Strategic Development Plan were included in section
25 4.5.5 of volume 2 of the EIS, even though those 15: 19
26 policies and the Plan do not have a statutory basis in
27 planning as is the case with the plans discussed above.
28

29 The Department of Transport published its policy

1 statement Ports Policy Statement in January 2005.
2 While the ports are state owned, the Department's
3 current policy is to require the ports to operate
4 commercially without Exchequer support and to provide
5 adequate in-time capacity for the future needs of the 15: 19
6 economy. Private sector investment is encouraged. The
7 policy statement did not identify any specific
8 shortfalls for Shannon Foynes Port.
9

10 The Department of Transport published an information 15: 19
11 paper based on the report of Fisher Associates
12 consultants regarding future seaport capacity
13 requirement for unitised trade in Ireland, October
14 2006. This addressed potential expansion plans for
15 Shannon Foynes Port. The expansion plans related to 15: 20
16 potential extensions to the port facility at Foynes and
17 not to the Shannon Development land bank or to the site
18 of the Shannon LNG terminal. In June 2004 Shannon
19 Foynes Port Company announced a strategic Development
20 Plan to invest €53.5 million over the following five 15: 20
21 years to create new shipping, industrial and commercial
22 facilities along the Shannon Estuary. As stated on the
23 company's website:

24 "The detailed strategic plan document
25 has been approved by the Board for use 15: 20
26 within the company's management team
27 rather than as a document for public
28 release. Extracts from the
29 presentation were given at the media
briefing are provided in the following
file."

1 The published highlights of the strategic plan are as
2 follows: €53 million for the development of the
3 estuary; commercial development of 44 acres in Limerick
4 Docklands; proposed container transshipment at
5 Ballylongford; enhancement of facilities at Foynes;
6 upgrade of Shannon Airport oil jetty; container line
7 service between Rotterdam and Shannon Estuary; new
8 downstream port facilities within five years; new ferry
9 service along the Shannon Estuary; partner and leader
10 in regional development.

15: 21

15: 21

11
12 While the reference to Ballylongford is to the Shannon
13 Development Land bank, the Shannon Foynes Port Company
14 has welcomed the Shannon LNG terminal proposal as
15 fitting comfortably within the company's long held
16 aspiration of sensible development of the lower
17 estuary. A copy of the letter from Shannon Foynes Port
18 Company expressing this view is attached to this
19 statement and this is at the end of the statement.

15: 21

15: 22

20
21 I will turn now to the response to the submissions to
22 the Board. Submission L007 (which is an addendum to
23 L003) and also submission L004. These submissions
24 state that variation No. 7 to the Kerry County
25 Development Plan is invalid. This is not a matter for
26 Shannon LNG.

15: 22

27
28 **Submission L055 from Clare County Council.** Clare
29 County Council's submission refers the Board to

1 sections 5.7 and 5.9 of the Mid West Regional Planning
2 Guidelines 2004. Section 5.5 states that the
3 Development Plans should facilitate the provision of
4 energy networks provided that the development provides
5 significant economic or social infrastructure, the 15: 23
6 design will achieve the least environmental impact
7 consistent with not incurring excessive cost and impact
8 mitigation has been included. The existing
9 infrastructure and its safety requirements should be
10 taken into account and not compromised. Section 5.9 15: 23
11 relates to the protection of the quality and character
12 of the landscape. It also requires the consideration
13 of the impact of developments on water bodies.

14
15 Clare County Council's submission refers the Board to 15: 23
16 policies CDP 46, CDP 51, CDP 52 of the Clare County
17 Development Plan 2005 and the ENV1 and ENV2 of the West
18 Clare Local Area Plan 2003. Policies CDP 46, 51 and
19 ENV1 and 2 relate to the protection of landscapes and
20 views. Policy CDP 52 relates to the protection of 15: 24
21 designated sites, protected species and their habitats
22 and features of major importance to flora and fauna and
23 features of geological and geomorphological importance.

24
25 Clare County Council's submission makes specific 15: 24
26 observations in relation to the assessment of
27 cumulative impacts, visual impact, health and safety
28 considerations in relation to land use in the county
29 and environmental /heritage issues.

1
2 Response: Evidence has been given to this hearing on
3 strategic importance of the project and evidence will
4 be given on the avoidance of impacts where this is
5 feasible and mitigation of impacts which cannot be 15: 24
6 avoided. In particular Mr. Thomas Burns will address
7 visual and landscape impact and mitigation. This
8 evidence will show that the project will be in
9 compliance with these policies and objectives of the
10 Clare County Development Plan and West Clare Local Area 15: 25
11 Plan. In later evidence I will address the submission
12 in relation to the assessment of cumulative impact.
13 The specific observations on visual impact, health and
14 safety considerations in relation to land use in the
15 county and environmental /heritage issues will be 15: 25
16 addressed by Mr. Thomas Burns, Dr. Andy Franks,
17 Mr. Carl Dixon, Dr. Simon Berrow and Mr. Stiofán
18 Creavan respectively.

19
20 **Submission L056 from Kerry County Council.** In relation 15: 25
21 to international and national plans and policies, in
22 its submission Kerry County Council concluded:

23 "International assessment, European and
24 national policy recognises the need for
25 great security of supply and
26 competition in the Irish context. The 15: 26
27 Regional Planning Guidelines recognise
28 the importance of gas infrastructure
29 and the fact that its presence can act
as a catalyst in attracting further
industry. While section 4.5.1
paragraph 5 of the EIS refers to the EU
Energy White Paper, Kerry County
Council was unable to source such a
document and is unable to confirm the

1 assertion that the NDP underpins many
2 of the actions listed in the White
3 Paper. Notwithstanding this, the
4 planning authority is of the opinion
5 that all international, national,
6 regional plans and guidelines support
7 the strategic need and the benefits of
8 such a development at both a national
9 and county level."

15: 26

10
11 As I stated above the reference to EU Energy White
12 Paper 2007 in the EIS should have been to the EU Energy
13 Green Paper 2006.

15: 27

14
15 In relation to the County Development Plan and relevant
16 Local Area Plans, in its submission Kerry County
17 Council concluded:

18 "The site of this proposed development
19 is zoned for industrial use. It is
20 considered by the planning authority
21 that the proposed development does not
22 contravene any section of the plan and
23 that the objectives of the plan support
24 the provision of industrial development
25 at this location capitalising on its
26 strategic coastal location. It is
27 considered that the proposal is in
28 accordance with the provisions of the
29 Development Plan and in accordance with
30 the proper planning and sustainable
31 development of the area."

15: 27

15: 27

32
33 I agree with the conclusions expressed in Kerry County
34 Council's submission.

15: 27

35
36 **Conclusions.** The Shannon LNG terminal site is zoned
37 for industrial development and in particular for a
38 premier deep water port and major industrial
39 development. I am of the opinion that the Shannon LNG

terminal project supports the objectives of the Kerry County Council Development Plan and the Tarbert and Ballylongford Local Area Plans. The project will further the objectives of the South West Regional Planning Guidelines, the Mid West Regional Planning Guidelines, the National Development Plan, the National Spatial Strategy and Government policies. In particular in relation to balanced regional development, the improvement of infrastructure provision in the southwest and midwest regions, the economic development of Co. Kerry and diversity and security of energy supply. Thank you.

15: 28

15: 28

END OF SUBMISSION OF MS. LYDEN

15: 28

INSPECTOR: Thank you, Ms. Lyden. It's now getting on for 3:30, I take it there are plenty of questions to the last three speakers, but maybe we will take a five minute break before we get in on that.

15: 29

(SHORT ADJOURNMENT)

THE HEARING RESUMED AFTER A SHORT ADJOURNMENT AS FOLLOWS.

1
2 INSPECTOR: Okay, I think it's about
3 time to resume so if people
4 can take their seats again. Before we get back to the
5 proceedings I have a special request from the Kerryman 15: 39
6 who are going to press this evening and they just asked
7 if they might take a few photographs so we will
8 facilitate them for a moment or two with your
9 indulgence. (Short pause)

10
11 We will resume at this point. Do we have any questions
12 for the previous three speakers please. Ms. Griffin
13

14 THE APPLICANTS WITNESSES WERE CROSS-EXAMINED BY THE
15 OBJECTORS AS FOLLOWS 15: 41

16
17 61 Q. MS. GRIFFIN: My first question is to
18 Mr. MacIntyre. On page 16
19 of your statement, Mr. MacIntyre, the bottom of the
20 page, yesterday John McElligott mentioned ExxonMobil 15: 41
21 are experienced LNG operators and in your response you
22 say:

23 "ExxonMobil do not operate and have not
24 operated any LNG regasification
25 terminals." 15: 42

26 Are you, therefore, saying that they are not
27 experienced energy operators?

28 A. Mr. Inspector, I am saying that they have not operated
29 any LNG regasification terminals.

1 62 Q. But the question or what you have responded to says:
2
3 "ExxonMobil are experienced LNG
4 terminal s operators."
5
6 And you have responded to that that they do not operate 15: 42
7 and have not operated any LNG regasi fication terminal s
8 so are you saying that they are not experienced or are
9 you are implying and they are not experienced?
10 A. Sorry, Mr. Inspector, I was responding that ExxonMobil
11 do not and have not operated any LNG regasi fication 15: 42
12 terminal s.
13 63 Q. So you are saying they are not experienced?
14 A. Mr. Inspector, I am saying they have not operated any
15 LNG regasi fication terminal s.
16 64 Q. I think I will leave it at that then. My second 15: 43
17 question is for Ms. Lyden. Starting at the very end of
18 page 6 of your statement of evidence you say:
19
20 "The Local Area Plan for Ballylongford
21 notes that the population of
22 Ballylongford has declined in recent
23 years which has result in the loss of 15: 43
24 local services and closure of local
25 business."
26
27 Can I just point out that the most recent figures from
28 the Central Statistics Office show that in 2002
29 Ballylongford had a population of 405 people and in 15: 43
2006 it was 406 people so it is actually up 0.2%.
Likewise, in case people think that Tarbert is ghost
town, the population of Tarbert in 2002 was 548 people
and in 2006 was 550 people which was up 0.4%.

1 A. MS. LYDEN: I was quoting directly from
2 the plan. If you give me a
3 minute I will find it for you. I was referencing page
4 21, fourth paragraph of the Ballylongford Local Area
5 Plan. 15: 44

6 65 Q. Right. So does that mean then that the Plan is right
7 and the Central Statistics Office is wrong or vice
8 versa?

9 A. I just quoted from the plan.

10 MS. GRIFFIN: Okay. One more item, 15: 45
11 Ms. Lyden. Quite a few
12 times in your report you have mentioned the site at
13 Ballylongford, the land at Ballylongford, the land is
14 actually in Tarbert and not in Ballylongford.

15 INSPECTOR: Okay. A gentleman here? 15: 45

16 MR. LYNCH: Noel Lynch, Ballylongford.

17 INSPECTOR: Sorry, could I just have
18 your name please.

19 MR. LYNCH: Noel Lynch, Ballylongford
20 Enterprise Association. In 15: 45
21 relation to the latest statistics available to us
22 between the years of 1991 and 2002 the townland of
23 Lislaughtin and Carraig in Ballylongford have had a
24 population loss. Carraig has had a population loss of
25 14%. During the same period Tarbert in the same census 15: 46
26 population has had a population loss of 18%.

27 MS. GRIFFIN: Well, the reports are
28 obviously conflicting
29 because according to the latest census records it says:

1 "The population of Ballylongford is up
2 in all 0.2%. There is a decrease in
3 Carraig, but there is an increase in
4 Lislaughtin."

5 That is 2006 so that is the last six years. The quote 15: 46
6 is "Ballylongford has declined in recent years", how
7 long ago is recent years.

8 **MR. LYNCH:** Kerry County Council a
9 number of years ago have
10 instigated what is called an Integrated Services 15: 46
11 Project in Ballylongford. One of the primary reasons
12 for this was the decline in Ballylongford. We live
13 there, we know about this decline and one of the major
14 declines has been in our population. I haven't got the
15 figures from 2002 upwards, I am just quoting the 15: 47
16 figures which I have from 1991 to 2002 which shows the
17 decline in the Carraig area of 14% and in Tarbert of
18 18%.

19 **MS. GRIFFIN:** Well, 2002 is six years
20 ago. I am saying that 15: 47
21 since 2002 the population has actually increased.

22 **MS. MURPHY:** Mr. Inspector, Joan Murphy,
23 Tarbert Development.

24 I think the confusion here is that the population
25 figures which are published by the Central Statistics 15: 47
26 Office refers to DEDs, District Electoral Divisions.
27 We talk in terms of parish and they don't coincide and
28 that's why it is very difficult, we are not comparing
29 like with like. So when we talk about population

1 decline in Tarbert or Ballylongford we are basically
2 talking about the parish of Tarbert or the parish of
3 Ballylongford as distinct to the DEDs. In the case of
4 Tarbert I know it also takes in another parish so it's
5 a bit confusing really because they are two different
6 figures. Thank you, Mr. Inspector. 15: 48

7 **INSPECTOR:** Okay. Any further
8 questions? The gentlemen
9 here with the beard.

10 **MR. ROBINSON:** Mr. David Robinson 15: 48
11 representing Save Haven of
12 Milford Haven. We are a group of concerned residents
13 and we have safety concerns about the two LNG
14 terminals, namely South Hook and Dragon. My question
15 is to Mr. Blair MacIntyre. I would like to point out 15: 48
16 that in Milford Haven we don't have a Quantitative Risk
17 Assessment for a spill of LNG on water except for a
18 guillotine cut of one 10 inch hard-arm which goes from
19 ship to jetty. In SIGTTO it states that the maximum
20 credible spill and its estimated gas cloud range should 15: 49
21 be carefully established. My question is what is your
22 estimate of a maximum credible spill and, secondly,
23 what is your estimate of a gas cloud range.

24 **MR. MACINTYRE:** Mr. Inspector, I would
25 propose that these issues 15: 49
26 are dealt with under the safety module because
27 I understand the evidence I have given is related to
28 site location and offshore and this matter will be
29 dealt with in the safety section.

1 INSPECTOR: Mr. Robinson, do you have
2 any pressing need for an
3 answer at this point, you will be with us tomorrow?
4 MR. ROBINSON: I will be here tomorrow.
5 INSPECTOR: I think then it is best to 15: 50
6 defer it to tomorrow. Any
7 further questions.
8 MR. McELLIOTT: Yes.
9 MR. BRANIGAN: I will make another
10 mistake. The new 15: 50
11 information that we have got today is really
12 extraordinary and useful.
13 INSPECTOR: Sorry.
14 MR. BRANIGAN: Do I go ahead?
15 INSPECTOR: I think we can hear you 15: 50
16 now, yes.
17 MR. BRANIGAN: As I say an immense amount
18 of extremely valuable
19 information has been provided by the Applicants today.
20 Now, may I take this opportunity to say to the Board, 15: 51
21 and we will be saying it again and again and again, we
22 are not on a level playing field. This is a
23 multimillion pound organisation with a plethora of
24 experts that few could argue with and on the other side
25 there are people like our own organisation which is 15: 51
26 empowered by its articles of association to conduct
27 marine research and we have been doing that for half a
28 century, but we haven't got the same facilities, to say
29 nothing of the finance end of it, so consequently we

1 will be asking for the opportunity also to conduct the
2 necessary investigations into some of these statements
3 which have been made and which appear to be in conflict
4 with certain information that we have. Now, very
5 broadly our information comes on a daily basis from 15: 52
6 Lloyd's List. Now, those who know Lloyd's Lists have
7 been published in 1734 and are still published daily
8 and every morning I get a copy of what's happening on
9 the international scene and marine affairs, it is all
10 carefully noted by our people. Now, what we will 15: 52
11 require is to be able to consult with a geologist,
12 which we have, coastal experts in relation to what
13 Mr. Power has given, an very interesting analysis of
14 the surveys they did, we will have to consider that as
15 well. We have economists, mathematicians, legal 15: 53
16 advisors, a whole plethora of people and the
17 information that we have on aspects of the marine
18 industry and specifically what we are addressing here
19 comes initially from what we find on a daily basis in
20 Lloyd's List which is an internationally recognised 15: 53
21 authority and they don't play games with trying to put
22 a spin on one thing or another, they are too
23 professional for that and consequently we are guided by
24 them.

25
26 Firstly, I want to say that we are not on a level
27 playing field, that's quite obvious and it is going to
28 be very difficult for us to get all the information
29 that we require in order to deal with the statements

1 that have been made. Now, I do not at this stage
2 suggest we get involved in any contradiction of what
3 that was said because I am simply not in a position to
4 do that until I get, for example, advice from our
5 geologists on certain of the things that are said. One 15: 54
6 question that I asked, and this really surprised me,
7 when we refer to the possibility of using the Kinsale
8 field, we were working on the basis of information that
9 is contained in the Department of Energy, the Joint
10 Committee, who discussed all that type of thing and 15: 54
11 they recommended we should do that. Then it came out
12 in the Green Paper to say that they are complying with
13 that particular requirement. What appeared to be said,
14 and they could be totally correct in what they are
15 saying, I will have to talk to the geologist about 15: 54
16 this, I would like to ask one question: Did our
17 friends on the other side advise the Government that
18 what is contained in the Joint Committee's report and
19 what is contained in the Green Paper, insofar as
20 Kinsale is concerned, was not a practical matter 15: 55
21 because it is a belief at departmental level at any
22 rate, and I take my guidance on certain matters, not
23 just from the department, but from geologists and
24 economists and all sorts of other people so we have an
25 impression that that Kinsale field could be used in a 15: 55
26 particular way, maybe not. They may be quite correct
27 in what they are saying.

28
29 Secondly, I will like to ask Mr. MacIntyre to explain

1 to me the nature of the Kinsale field which
2 I understand to me what I would call rock formation.
3 It is not a cavern as you would get with salt caverns
4 and we have asked people, including the Marine
5 Institute and others, to give us as much information as 15: 56
6 they can as to the availability of salt caverns as an
7 alternative for storing the material. It's a very
8 simple thing to create a cavern. The United States'
9 total strategic supply is contained in salt caverns and
10 a salt cavern can be created if the salt is there. It 15: 56
11 would be one thing to discover the salt cavern, but to
12 discover it in a place where these vessels could
13 operate without being exposed to violent weather etc.,
14 that is another matter altogether, we are not
15 necessarily confining ourselves to just the Kinsale 15: 56
16 field. We have made it quite clear that any subaquea
17 areas which are suitable, having regard to the
18 necessity of safety etc., that they would be examined
19 and where possible try and find a means by which the
20 gas can be actually stored. Now, that is a matter for 15: 57
21 discussion and as I say I am not entering into any
22 contradiction, I don't challenge anything that is said,
23 I have to get advice on it.

24
25 There is one other matter, it is gone out of my head 15: 57
26 anyhow. However, I very much appreciate the
27 information that has been given. Much of it is new to
28 me and to my colleagues and consequently it is a
29 tribute to the occasion that this type of information

1 can be made available. Thank you, Sir.

2 **INSPECTOR:** Thank you. Mr. Power?

3 **MR. POWER:** Mr. Branigan asked the
4 question what is the nature

5 of the Kinsale Head gas field reservoir. He is 15: 58

6 correct, the nature of the Kinsale Head reservoir, it's

7 sand stone, there were two primary reservoirs and they

8 are sand stone reservoirs. It is not a cavern, it is

9 not a salt cavern and Mr. Branigan is also correct to

10 say that gas can be stored in the Kinsale head gas 15: 58

11 reservoir. In fact, it has been stored there for tens

12 of millions of years over geological time and

13 Mr. MacIntyre has explained how difficult it is or how

14 difficult it would be to bring an LNG facility or merge

15 an LNG facility with the existing facilities so 15: 59

16 I believe we have answered the two questions or queries

17 that were asked.

18
19 Now, I should also add it is well known, and I assume
20 that Mr. Branigan knows this, that the operator of the 15: 59
21 Kinsale gas field today uses the field and offers
22 commercial storage in the field.

23 **INSPECTOR:** Sorry, what do you mean by
24 that?

25 **MR. POWER:** They offer commercial 15: 59
26 storage, they will store
27 gas in the field and provide the gas to you. Let's say
28 store it maybe during the summer months and offer then
29 smaller volumes back into the marketplace in the winter

1 months.

2 **INSPECTOR:** This is their own gas that

3 is already there?

4 **MR. POWER:** There is their own gas

5 that is already there or it 16:00

6 may be gas that comes from the pipeline. I am not

7 familiar with the present arrangements, storage

8 arrangements that they are offering, but they do offer

9 storage facilities on the gas field. This gas could be

10 gas that comes from one of the reservoirs or it could 16:00

11 be gas that could be taken out of the pipeline.

12 **INSPECTOR:** Pumped back in?

13 **MR. POWER:** It is possible, yes.

14 **INSPECTOR:** So leaving aside the

15 difficulties with a sea 16:00

16 based operation, if the Kinsale gas field was on land

17 could you pump gas back into it relatively easily if

18 you had a LNG regasification facility, could that gas

19 then be pumped into a depleted gas field on land?

20 **MR. POWER:** Yes, you can inject gas 16:01

21 back into the ground and

22 that is done on many occasions. It is done while you

23 are producing oil. Very often the gas that is produced

24 with the oil, a Government requirement may be rather

25 than in some countries where they may flare it, the 16:01

26 requirement generally today would be to re-inject the

27 gas back into the ground and keep it for future

28 generations, Inspector, that's correct. The question

29 that was asked of us was can we merge an LNG facility

1 with the existing gas field platform and we don't see
2 any way of doing that.

3 **INSPECTOR:** Okay.

4 **MR. POWER:** The answer to
5 Mr. Branigan's question 16: 01
6 about the nature of the gas field is that it's a
7 sandstone body.

8 **MR. BRANIGAN:** Porous.

9 **MR. POWER:** This particular reservoir
10 is highly porous, its porosity 16: 02
11 maybe up to 20% in places or above and it's also
12 permeable.

13 **MR. BRANIGAN:** Therefore, as I understand
14 the answer that we have
15 been given by Mr. Power it is feasible 16: 02
16 ... (INTERJECTION)

17 **INSPECTOR:** Sorry, I think people
18 behind you probably cannot
19 hear anything.

20 **MR. BRANIGAN:** It is feasible and 16: 02
21 practical and possible to
22 inject gas back into these fields in the Kinsale field
23 etc., that's fair enough. That would seem to reduce
24 itself to the difficulties which I was getting from the
25 other side, as Mr. MacIntyre put it perhaps not 16: 02
26 suitable for the type of ship that have to go in there,
27 is that the point?

28 **MR. MACINTYRE:** My point, Mr. Inspector,
29 was that the difficulties

1 of offloading in offshore conditions that are difficult
2 for ships and of the equipment that is available for
3 the transfer. The critical point of offloading an LNG
4 ship is the security of the ship and the equipment used
5 for offloading and the current technologies just do not 16: 03
6 support that.

7 **MR. BRANIGAN:** We have to get information.
8 For example, the latest
9 information -- well, not the latest, surely in the past
10 year, was in Australia, Woodside, is it, and they are 16: 03
11 exporting gas and have the regasification on board and
12 they are delivering that to the east. Now, I don't
13 know where they are delivering it to, I don't know
14 whether it's going into storage, but I will find out.
15 However, as I say according to the information I have 16: 04
16 and according to the frequent reports which we get say,
17 and the bible as far as I have concerned is Lloyd's
18 List, and according to the information the usage of
19 this regasification facility is much more extensive
20 than you seem to suggest, but I am not contradicting 16: 04
21 anybody, I will find out and it will be made known and
22 thank you.

23 **MR. MacINTYRE:** Mr. Inspector, if I could
24 respond to that. I am
25 quite well versed to say it because I do some 16: 03
26 consulting work for Woodside, and they are working on a
27 project which is at the feasibility and planning stage,
28 and although I can't speak too much about it because I
29 do that, but there are difficulties involved with the

1 transfer of the ship to ship and other issues regarding
2 the equipment available to do the job.

3 **INSPECTOR:** Ship to ship? Ship to
4 floating platform?

5 **MR. MacINTYRE:** Yes. They are proposing 16: 04
6 and FSRU supplied by a ship
7 with transfer at sea. As I say, I can't speak about it
8 because I do some work for them, but it is still at the
9 concept and design stage, it is not operational.

10 **INSPECTOR:** Who is doing this research 16: 04
11 work?

12 **MR. MacINTYRE:** The company is Woodside
13 Energy of Australia. The
14 project and planning phase.

15 **INSPECTOR:** Does that answer your 16: 05
16 question?

17 **MR. BRANIGAN:** Just this, sir. We decided
18 deliberately to make the
19 point that the facility for storing the gas could be in
20 Kinsale and that was because it was in the 16: 05
21 Government -- and one of the questions I asked
22 incidentally: Have the Department been advised that
23 what they were doing is wrong?

24 **MR. POWER:** Obviously, I don't act in
25 any advisory role to the 16: 05
26 Department. I can't speak for the Department,
27 Mr. Inspector.

28 **INSPECTOR:** When was this paper that
29 you might have intervened

1 in?

2 MR. POWER: I am not familiar with what
3 is being spoken about,
4 Mr. Inspector, to tell you the truth.

5 INSPECTOR: Can you clarify that, 16: 06
6 Mr. Branigan?

7 MR. BRANIGAN: Yes. Well, we are in
8 occasional, not constant,
9 but occasional contact with the Department and they
10 still hold to what is contained in the Joint 16: 06
11 Committee's Report and in the Green Paper, on the
12 position we have commented on.

13 INSPECTOR: Hold on a moment. It is
14 the Joint Committee's
15 reports and the Green Paper? 16: 06

16 MR. BRANIGAN: I beg your pardon?

17 INSPECTOR: You are saying that this
18 possibility was mentioned
19 in the Joint Committee Report and in the Green Paper?

20 MR. BRANIGAN: That's right. In the Joint 16: 06
21 Committee's Report they
22 recommended it. The impression I have, and I can't
23 find the specific reference today, but the impression I
24 have is that it is stated in the Green Paper that it is
25 being done. So, as I say. However, there doesn't 16: 07
26 seem -- I can only act, my group can only act on the
27 type of information, on this kind of an issue, that we
28 would get from the Government documentations. We are
29 strict in one thing, we never ever put forward any

1 ideas except if they are based on facts that are
2 related in the official documents. We don't express
3 opinions at all. We deal only with facts.

4
5 Our impression is that it is still quite possible, with 16: 07
6 the possible exception, and Mr. MacIntyre has made his
7 position quite clear. Maybe it would be the
8 difficulties of getting an LNG ship in there and, also,
9 the system of discharging, with various pipes etc., it
10 could be quite a delicate and, perhaps, difficult. But 16: 08
11 how are the existing people who are putting gas in, how
12 do they get it in? You said that there are people
13 putting in gas now.

14 MR. POWER: Let me just respond to the
15 first question first. 16: 08

16 MR. BRANIGAN: Sorry.

17 MR. POWER: Because I believe,
18 Mr. Inspector, that it is
19 addressed in the response by Mr. MacIntyre and I will
20 read it again. The submission was that: 16: 08

21 "LNG can be delivered, converted to gas
22 on board the carrying tanker and pumped
23 into an offshore gas cavern, such as
24 the now nearly depleted Kinsale fields
25 and As Recommended By the Joint
Committee on Marine and Natural
Resources."

26 The response to that is covered in Mr. Blair's (sic.)
27 evidence and it ends up by saying that the Joint
28 Committee Of Marine and Natural Gas Resources actually
29 stated that the full potential of this method of

1 storage needs to be explored, quantified and costed,
2 which is, in fact, a call for research, as opposed to a
3 recommendation for adoption.

4 **MR. BRANIGAN:** Well, that says it all to
5 me. That's fine. I will 16: 09
6 be in touch with the Department and see to what extent
7 they have gone along those lines and will report it
8 back.

9 **INSPECTOR:** Okay Mr. Branigan. What
10 about the matter of the 16: 09
11 storage in salt caverns, does anybody have anything to
12 say on that?

13 **MR. POWER:** I am definitely not an
14 expert on storage in salt
15 caverns. I am not aware of any salt caverns available 16: 09
16 for that purpose in this vicinity.

17 **INSPECTOR:** In which vicinity?

18 **MR. POWER:** Like where we are today, in
19 Ireland?

20 **MR. J. McELLIOTT:** Larne. 16: 10

21 **MR. POWER:** I am not aware of them.
22 They may be there.

23 **MR. KEARNEY:** They are, they are in Larne
24 in Northern Ireland.

25 **INSPECTOR:** Just on the matter of Larne 16: 10
26 in Northern Ireland.

27 **MR. BRANIGAN:** We know that there are salt
28 caverns up there, but
29 whether gas can be put into them we don't know.

1 INSPECTOR: But are they still not
2 actively in use as salt
3 caverns?
4 MR. BRANIGAN: I don't really know. But
5 there is an organisation, 16: 10
6 and I think they have run out of gas themselves now, in
7 Northeast England, in North Cumbria, if I am not
8 mistaken. They have been pumping gas into salt caverns
9 for some time. I understand it has been discontinued
10 now. But it can be done. But whether there is any -- 16: 10
11 it wouldn't be sufficient, sir, that salt caverns
12 deposits were found. They would have to be found in a
13 place where you could bring a tanker in, and that might
14 be a very, very difficult thing to do.
15 INSPECTOR: I think that's highly 16: 11
16 optimistic, I would have to
17 say that.
18 MR. BRANIGAN: Well, again, the same, we
19 are extremely careful that
20 we don't say or pursue any particular line that 16: 11
21 commonsense and good technical knowledge would show
22 that we are on the wrong track. We don't get involved
23 in anything of that nature. So, it may very well be
24 optimistic, but I have reservations about that.
25 INSPECTOR: Okay, thank you 16: 11
26 Mr. Branigan.
27 MR. BRANIGAN: Thank you sir.
28 INSPECTOR: Mr. Fox.
29 MR. FOX: Mr. Inspector, yesterday we

1 saw a couple of very good
2 videos in relation to gas terminals, LNG terminals both
3 onshore and offshore, and I am somewhat confused now by
4 Mr. MacIntyre's response to a submission by Johnny
5 McElligott, where he said that ExxonMobil have
6 submitted a planning application for a Blue Ocean
7 Energy offshore LNG 20 miles off New York. I saw the
8 video. I saw the picture. A picture is worth a
9 thousand words. And Mr. MacIntyre is saying that there
10 is no application, there is no permission, so what's
11 the position there from Mr. MacIntyre?

16: 12

16: 12

12 **MR. MacINTYRE:** Mr. Inspector, I think it
13 was on the 11th December of
14 last year that ExxonMobil released some publicity
15 material, which, I think, some of it we saw yesterday,
16 on a proposed terminal off New York. As I stated,
17 there has been no application to any regulatory
18 authority submitted by ExxonMobil. Only that publicity
19 material, which is very vague in detail and gives no
20 time scale. It is purely a publicity release of
21 concept.

16: 12

16: 13

22 **MR. FOX:** Thank you, Mr. Inspector.
23 I missed that part, thank
24 you.

25 **INSPECTOR:** Mr. McElligott?

16: 13

26 **MR. J. McELLI GOTT:** Yeah, hi. I would like to
27 go back to the ability to
28 store LNG directly into salt caverns. I read in a
29 Poten report that there is now new technology that

1 allows LNG carriers to pump directly from an LNG
2 carrier into salt caverns. I am wondering would the
3 technology be the same to pump into an underground
4 reservoir as it would be to pump into a salt cavern,
5 Mr. MacIntyre?

16: 14

6 **MR. MacINTYRE:** The technology would be
7 broadly the same, yes.

8 **MR. J. McELLI GOTT:** Okay, because that's the
9 latest technology. Now, to

10 go back to Mr. Power about putting gas into the
11 reservoirs in Kinsale. They have stated that one of
12 their aims in this project here, in Shannon LNG, is to
13 have a strategic supply of natural gas. But if the
14 ability already exists to pump -- and it does exist and
15 it is happening -- pumping gas into the depleted gas
16 field, or near the depleted gas fields still controlled
17 by Marathon, does that not mean that we can have a
18 strategic supply of gas? Like, for instance, the CER
19 says that each tank in Tarbert will hold ten days
20 supply of the country's natural gas, could we not have
21 the depleted gas fields, near depleted gas fields in
22 Kinsale to do exactly the same thing and then to pump
23 it out when we need it? Because we are still importing
24 natural gas. So, through the pipeline, in the summer
25 months, we can just fill up the Kinsale underground
26 reservoir and then pump it out when we need it. But if
27 the disruption of supply was only for ten days or 15
28 days you would have that amount.

16: 14

16: 14

16: 15

16: 15

29 **MR. KEARNEY:** But just the security of

1 supply in the EU Directive,
2 it relates to situations where, continental countries I
3 suppose, in particular, there could be severely cold
4 weather and they need a gas reserve if there is a
5 disruption of the primary supply. So, in effect, what 16: 16
6 Mr. Branigan is saying about pumping gas into depleted
7 reservoirs in Kinsale, or else the caverns in the north
8 of Ireland, will actually cover that requirement.

9 INSPECTOR: Sorry, was that a question?

10 MR. KEARNEY: No, just a statement of 16: 16
11 fact.

12 INSPECTOR: Do you have anything to say
13 on that?

14 MR. J. McELLI GOTT: Okay, I will ask the
15 question again so. From me 16: 16
16 the question is: If our aim is to have a strategic
17 supply of natural gas, which would allow us to, if,
18 say, the interconnector was cut in Moffat and it was
19 taking five or ten days to get fixed, then could we not
20 take the gas out of the depleted gas field, or near 16: 16
21 depleted gas field, in Kinsale and use that while the
22 interconnector is being fixed?

23 MR. POWER: Could I respond to that
24 Mr. Inspector? The concept
25 behind our proposal here, we have explained in great 16: 17
26 detail how the United Kingdom, North Sea gas reserves,
27 that source of gas is depleted rapidly. What the LNG
28 terminal provides is direct access to a number of other
29 worldwide sources. In relation to Kinsale, the Kinsale

1 Head Gas Field is operated by another operator and they
2 may develop their own proposals in the future in
3 relation to gas activities.

4 **MR. J. McELLI GOTT:** Weren't you President of
5 Marathon? So you should
6 know what they can do down in Kinsale. I asked you can
7 it be done first of all?

16: 18

8 **MR. POWER:** Mr. Inspector, it would be
9 inappropriate for me to
10 speak on behalf of Marathon. I am not an employee of
11 Marathon Oil Company at this stage.

16: 18

12 **MR. J. McELLI GOTT:** Okay, I'll put it another
13 way. Would you know that
14 of the gas industry here, isn't it possible and isn't
15 it happening that gas is being pumped into the depleted
16 gas fields at the moment, through the existing
17 pipelines infrastructure, into the depleted gas fields
18 in Kinsale?

16: 18

19 **MR. POWER:** Again, Mr. Inspector, I am
20 not involved on a
21 day-to-day basis with Marathon's activities, so he
22 should really put this question to Marathon.

16: 18

23 **MR. J. McELLI GOTT:** But you are supposed to
24 have an overall view of
25 what's happening in the gas industry here.

16: 18

26 **INSPECTOR:** Is it technically feasible
27 to reverse the flow in the
28 pipeline from Kinsale, so that you would effectively
29 pump back into the depleted gas field? Is there any

1 likelihood that that is happening at the moment?

2 **MR. POWER:** It is technically feasible
3 to move gas -- to reverse
4 the gas flow in Kinsale and put it back into the
5 ground, yes. 16: 19

6 **INSPECTOR:** Who would control that?
7 Is it Bord Gáis?

8 **MR. POWER:** No. Marathon are the
9 operators of the gas field,
10 so to take gas out of the reservoir or out of the gas 16: 19
11 field, for whatever is remaining there, or to put gas
12 back into it that would be an issue for Marathon.

13 **INSPECTOR:** But they can't effectively
14 purge the Bord Gáis network
15 and suck out of it. 16: 19

16 **MR. POWER:** No, the Bord Gáis network
17 it would have to be kept at
18 a proper pressure regime. Something like this would
19 have to be done with the cooperation of Bord Gáis.
20 That's correct. 16: 20

21 **INSPECTOR:** So, when you are talking
22 about using it for storage
23 you are, maybe, pumping out from one part of the field
24 and pumping it back in to another part of the field, is
25 that it? 16: 20

26 **MR. POWER:** That might be possible.
27 But they have been
28 depleting all the reserves that they have had at the
29 field over the last 20 years.

1 MR. J. McELLI GOTT: My point is that we already
2 are still importing gas
3 from the UK and that's coming through the existing
4 pipeline interconnector from the UK. So in the
5 existing gas that we are importing we can put the extra 16: 20
6 gas into the reservoir through the existing
7 infrastructure. And that is happening already, from
8 what I could read, they can inject it in. They call it
9 injecting. But I think the problem is that, from what
10 I have read, is that Marathon control that and while 16: 21
11 they still have a little bit of gas in it they control
12 it. But there is problem, something about Bord Gáis
13 now have applied for more percentage of that ability to
14 put the gas in there. Separate from Marathon. And
15 they are the experts, they should be able to explain 16: 21
16 that very clearly, because they should know the gas
17 business and what are the current operating procedures
18 down there. But my understanding is that those gas
19 reservoirs in Kinsale can be used and are being used
20 and if they store, say, 20, 50, 100 days of gas in 16: 21
21 there then if there is a problem, that the
22 interconnector is cut for a short time, then we can
23 just use the gas from the depleted gas fields. Then we
24 will still have a constant supply in Ireland. And in
25 the meantime the Corrib gas field will come on stream 16: 22
26 and, I think, we do not have any short term supply of
27 gas problems. The Government White Paper, I think,
28 said that we had no energy gas supply problems in the
29 short term -- or the medium term.

1
2 Also, when I said previously, yesterday, LNG will be
3 coming into Milford Haven and that LNG is its source of
4 foreign gas through another method of shipping and that
5 can go into the UK network and it comes through the 16: 22
6 interconnector anyway. So we will be getting access to
7 LNG. The idea is just to have a storage facility, we
8 would still have access to LNG which is being supported
9 imported through ships via the UK network, and if ever
10 there is a cut off of the pipeline for a short period 16: 22
11 of time, due to an accident or a breakdown, then we can
12 use the extra gas that would be in the gas caverns,
13 reservoirs in Kinsale. So, that would mean that there
14 is no real pressing need to have LNG in Ireland. It is
15 just one simple idea. 16: 23

16 **INSPECTOR:** Mr. Power, do you want to
17 come back on that?

18 **MR. POWER:** I think, Mr. Inspector,
19 that we addressed this
20 issue at great length yesterday. We quoted Government 16: 23
21 agencies, we quoted Bord Gáis Éireann. We have
22 provided the references to Government Policy on this
23 issue and I believe that this was adequately addressed
24 in the need for the project both by myself and by Mr.
25 Shearer this morning. 16: 23

26 **INSPECTOR:** But the bottom line will
27 be that, yes, Kinsale may
28 provide an alternative strategic reserve, but you would
29 provide an alternative source and you would also

1 provide storage.

2 **MR. POWER:** Can the Kinsale reservoirs
3 store gas? The answer,
4 Mr. Inspector, yes, of course. But you still have to
5 source the molecules to put it into the reservoir. Our 16: 24
6 proposal is to source the gas and to store it.
7 Although we are not proposing at this stage strategic
8 storage because that is being considered by the
9 Government. We are not proposing strategic storage at
10 this stage. But our proposal is to source the gas, 16: 24
11 import it and have it in the LNG tanks at the terminal,
12 regasify it and then put it into the pipeline as it is
13 required on a daily basis.

14 **MR. J. McELLI GOTT:** The National Development
15 Plan says that one of the 16: 25
16 aims of the National Development Plan is to have a
17 storage for greater security of supply. So, what I am
18 saying is that the LNG is coming to Exxon, the people
19 you say don't know anything. Exxon, who will be
20 controlling the Milford Haven terminal. Kinsale would 16: 25
21 prove to be both a source of the LNG that would come to
22 Milford Haven. It can come through the existing
23 pipeline and go into the reservoir. The reservoir can
24 also be used as a strategic extra amount of gas that we
25 would hold. Because it is already gasified when it 16: 25
26 goes through the network. It is just injecting the
27 full gas, not LNG, but gas into the caverns. Then Des
28 Branihan's plan would be to Ireland, if they want to
29 have their own LNG ships coming in, they can use the

1 latest technology to pump into the underground Kinsale
2 reservoirs. So, that is an alternative that is
3 feasible. Also, another point is that... (INTERJECTION)

4 **INSPECTOR:**

Hold on a moment,

5 Mr. MacIntyre has really
6 said that it is at the experimental stage at this
7 stage. The sea conditions are too rough and it is
8 premature to... (INTERJECTION)

16: 26

9 **MR. J. McELLI GOTT:**

No, Accelerate Energy, for
10 pumping into the Kinsale

16: 26

11 reservoir, Accelerate Energy already have that
12 submerged buoy technology, were they can gasify and
13 pump into it. They already have a working facility in
14 deep water, off the coast of Louisiana.

15 **MR. SHEARER:**

It is 110 feet of water,
16 which I don't know how deep

16: 26

17 Kinsale is.

18 **MR. KEARNEY:**

Kinsale is in about 300
19 feet of water.

20 **MR. SHEARER:**

It is too deep for

16: 26

21 Accelerates technology. I think we'd have to check
22 that. But I believe their technology is only viable
23 between 100 and 200 feet of water depth. So, it could
24 not be located adjacent to the Kinsale field.

16: 27

25
26 Let me address though the aspect of storage, because I
27 think the US experience might be illustrative of here.
28 It is technically correct that LNG or gas could flow
29 through the interconnectors and be stored in Kinsale,

1 setting aside the commercial considerations which would
2 be, I think, probably staggeringly expensive
3 potentially during the summer period and then
4 regasified in the winter period. However, that would
5 leave a very interesting concern for Ireland. If there 16: 27
6 was problem with the interconnectors in the summertime
7 and the storage field had been drawn down, for purposes
8 of supplying winter volumes, there wouldn't be any gas
9 in Kinsale to cover the rupture to the pipeline that
10 could occur in the summertime. That is one 16: 27
11 observation.

12
13 So, Kinsale only operates providing there is gas in
14 Kinsale and it is relatively full. Of course, the
15 minute you start withdrawing gas from Kinsale to meet 16: 28
16 market demand you don't have it full anymore and so you
17 have got that issue to it and it depends on the
18 pipeline network.

19
20 So, when you look at the way the US operates, and the 16: 28
21 US gas network is the most advanced in the world, as
22 far as its flexibility, volume and certainly the volume
23 of storage, it is the largest. Underground storage
24 reservoirs are normally filled during the summer period
25 and then they are depleted starting in early to mid 16: 28
26 November, depending on weather conditions. They are
27 drawn down at a relatively constant rate over the
28 balance of the winter season. As you drawn down on an
29 underground reservoir you generally lose pressure and

1 the rate of which you can withdraw gas from that
2 reservoir tends to fall off as the winter proceeds.

3
4 However, what the US also has, in areas where there are
5 fluctuations in demand, either there are temperature 16: 28
6 variation or for power generation, such as the north
7 eastern United States, then you have additional
8 storage, normally in the form of LNG facilities, that
9 allow you to rapidly inject natural gas into the grid
10 from storage to respond to peak demands on the grid. 16: 29
11 The UK has that attribute also. Ireland has none of
12 these facilities. In my reading of the Governments
13 mandate here, in terms of its proposed All Island
14 analysis of storage, is to consider that underground
15 gas storage and aboveground LNG storage could actually 16: 29
16 perform separate and independent functions in terms of
17 ensuring the reliability of the grid and strategic
18 storage for the countries gas requirements.

19 **MR. J. McELLI GOTT:** May I just point out here
20 that it is obvious that 16: 29
21 there is more information needed to be gathered and we
22 do not have the ability or the resources to do that.
23 But to make a perfect decision it is up to An Bord
24 Pleanála to employ the independent experts that can
25 give that information. 16: 30
26

27 Secondly, I would like to say that the All Island Gas
28 Storage Policy Document is due out in the beginning of
29 this year. It has already been completed. There was a

1 policy document prepared, or research document prepared
2 for an All Island Gas Storage Policy, that the
3 Government would implement between north and south.
4 Talking about such things as Larne storage salt mines,
5 etc. And we do not know what the outcome of that 16: 30
6 policy formulation process is going to be. We will not
7 know for another few months. So, I also find that it
8 is difficult to make a decision on the planning
9 application at this time, until it is clear what the
10 Government's policy will be. 16: 31

11 **INSPECTOR:** Mr. Power, I think you
12 already covered that, or
13 somebody on your team already covered that, the purpose
14 of this All Island Policy.

15 **MR. POWER:** Is to cover gas storage. 16: 31
16 That's correct,
17 Mr. Inspector, we addressed that this morning I
18 believe.

19 **INSPECTOR:** Mr. Branigan?

20 **MR. BRANIGAN:** Yes, sir. There is two 16: 31
21 questions which arose and I didn't quite get around to
22 dealing with them. Insofar as the Kinsale end is
23 concerned, I did ask -- at least I think I did, or I
24 ought to have done -- what type of ship is actually
25 delivering gas into the Kinsale fields? Because it has 16: 31
26 been said that to deliver gas in there would be very
27 difficult and dangerous. What type of ship is that,
28 that is delivering it?

29 **MR. MACINTYRE:** Mr. Inspector, there is no

1 ship delivering at this
2 point of time.

3 **MR. BRANIGAN:** Excuse me, I thought -- I
4 am getting a bit confused.
5 I thought it was said that there is gas being put into 16: 32
6 the Kinsale fields. Whether you can bring it out
7 again, etc. What are they putting it in from?

8 **MR. J. McELLIOTT:** Via the pipeline.

9 **MR. MacINTYRE:** My understanding is that it
10 is being put in from the 16: 32
11 pipeline. It certainly is not being put in from any
12 ship.

13 **MR. BRANIGAN:** Oh fair enough. Again, we
14 understood that it is was a
15 ship. But that is positive, no ship is put in. That's 16: 32
16 fine. I had to get that clear.

17

18 There is one other matter, sir. I want to refer to, if
19 you would give me madame for refer to your first name,
20 Ria Lyden. She said something quite interesting, 16: 32
21 insofar as the plans for the usage of that land is
22 concerned. She stated that -- I don't know who the
23 devil it was, but a public body anyway -- the purposes
24 of the variation is to:

25 "To facilitate consideration of such a 16: 33
26 development of land."
27

28 And she goes on to say that the Kerry County Council
29 Development Plan says:

1 "Lands have been identified at
2 Ballylongford Tarbert as suitable for
3 development as a premier deep water
4 port and for major industrial
5 developments...."

16: 33

6 In point of fact, one of the difficulties that we
7 foresee is that, in the event that the land is
8 available, for one reason or another, that they don't
9 get planning permission or appoint an alternative, a
10 very substantial submission, I made it at international 16: 34
11 conferences twice, I referred to this yesterday, of the
12 full facilities of a modern port to be established in
13 that particular area. That has the support not just of
14 Shannon Development, but I was at the conference with
15 the Chief Executive, as they was then, of Shannon 16: 34
16 Foynes and I had to meet many people. I was in charge
17 of our own display there and there was a great deal of
18 interest in it. But the point I am making anyway,
19 Madame, if you forgive my saying so, is that because
20 the Kerry County Council, or whosoever, said such a 16: 34
21 thing, that doesn't necessarily mean for your
22 applicants. It can be for what we have tried to do all
23 along, and get a major port established there.

24 **MS. LYDEN:** Mr. Brani gan is correct.

25 **MR. BRANI GAN:** I usually am Madame. 16: 35

26 Sorry, I didn't mean to be
27 rude.

28 **I NSPECTOR:** He's correct, but do you
29 have any comment on it?

1 MS. LYDEN: Well, the industrial zoning
2 didn't apply just to this
3 project, the Landbank was rezoned for these uses, so,
4 the Shannon LNG project doesn't preclude another port
5 related industry on the Landbank, or any other marine 16: 35
6 activity that Mr. Branihan might propose for this
7 Landbank, the LNG project doesn't preclude that. And
8 the rezoning is in favour of a marine and industrial
9 project on this Landbank.

10 INSPECTOR: But could it not be argued 16: 35
11 that it squanders an awful
12 lot of the Landbank, and that it doesn't fit that well
13 with the wording of the Development Plan?

14 MS. LYDEN: We would -- we believe that it
15 does fit very well with the 16: 36
16 wording of the Development Plan. I can sort of read
17 the -- it is:

18 "Lands have been identified as suitable
19 for...as a premier deep water port and
20 major industrial development and
employment creation." 16: 36

21
22 And our project fits that zoning objective. Kerry
23 County Council, in their submissions to the Board, has
24 agreed with us, that our proposal fits their objectives
25 for the Landbank and their Development Plan objectives 16: 36
26 in general.

27 MR. J. McELLI GOTT: Mr. Inspector, that's the
28 argument I was asking
29 Shannon Development yesterday, and why they would not

1 give an answer to the question I asked about 20 times.
2 It was we would not be able to have deep water port
3 facilities if there is going to be a major employer,
4 and major industrial development, if there is going to
5 be an exclusion zone around that LNG proposal, LNG 16: 37
6 terminal, which would completely contradict both what
7 Shannon Development have led us to believe over the
8 years and the County Development Plan as just declared
9 by her.

10 **MS. LYDEN:** Mr. Inspector, Dr. Andy 16: 37
11 Franks will give evidence,
12 presumably when you get to the safety module tomorrow.
13 There is no question of an exclusion zone which would
14 prevent any other industrial zoning on that landbank.
15 There is no question of that. So, the land, other than 16: 37
16 what the Shannon LNG project will use, will be
17 available for other port related uses that meet the
18 objectives of the zoning.

19 **MR. J. McELLI GOTT:** Now, that's why I want to
20 ask the same question to 16: 38
21 her as I asked Shannon Development. If it turns out
22 that the rest of the landbank excludes other ship
23 activities in the proximity to that LNG, jetties etc.,
24 will that not contradict the aims of the County
25 Development Plan as... (INTERJECTION). 16: 38

26 **MS. LYDEN:** Mr. Inspector, it won't
27 turn out. There is no if
28 in this case. The evidence that Dr. Franks will give,
29 there is no if. The advice from the Health and Safety

1 Authority didn't impose an exclusion zone. The
2 question doesn't arise in this case.

3 **MR. J. McELLI GOTT:** Yeah, because the Health
4 and Safety Authority only
5 deal with land use planning and they do not deal with 16: 38
6 marine exclusion zones. And there is no Quantitative
7 Marine Risk Assessment being undertaken. So, while
8 this planning application is going through you do not
9 know what effect it is going to have on shipping. So I
10 therefore ask you the question: if it turns out that 16: 38
11 there is an exclusion zone -- Ri a Lyden I am talking
12 to. If it turns out that there is an exclusion zone,
13 Ri a, preventing other development of that Landbank, is
14 that not contradicting the County Development Plan if
15 that would happen? I am not saying that it is going to 16: 39
16 happen, but if it turns out that an exclusion zone of,
17 say, 2 kilometres or 1 kilometre, and if no further
18 industrial development can take place on the Landbank,
19 is that not contradicting the County Development Plan,
20 Ri a? 16: 39

21 **MR. MacINTYRE:** Mr. Inspector, Shannon
22 Foynes Port Authority is
23 carrying out a Quantitative Risk Assessment and will
24 address that matter. And I believe the Harbour Master
25 will be coming to present his evidence here. 16: 39

26 **MR. J. McELLI GOTT:** Okay. So how can you do a
27 planning application and
28 proceed with this planning application if we do not
29 know the consequences of a Marine Risk Assessment? We

1 are entitled under the EIA Directive to have full
2 access to environmental information, environmental
3 impact, and also under the Seveso II Directive, to know
4 the environmental impacts of a proposed development in
5 siting terminals, in the siting decision, as per 16: 40
6 Article 12 or 13. So, we need to know this information
7 before we can proceed and then the general public
8 should have an opportunity to participate and take part
9 in that planning decision and have a right of reply.

10 **MS. LYDEN:** Mr. Inspector, we believe 16: 40
11 that this EIS provides more
12 than sufficient information
13 to determine this application. The information on both
14 the marine safety issues and the land based safety
15 issues and the land use issues relating to development 16: 40
16 are provided in the EIS. Further information will be
17 given by various witnesses to come, particularly in the
18 safety module. But there is more than sufficient
19 information for me to conclude that the development,
20 the LNG proposal, is in full accordance with the 16: 40
21 objectives or that variation to the County Development
22 Plan. I note that the planning authority came to the
23 same conclusion as ourselves.

24 **MR. J. McELLI GOTT:** Which planning authority?

25 **MS. LYDEN:** Kerry County Council. 16: 41

26 **MR. J. McELLI GOTT:** We have had no right of
27 reply to Kerry County
28 Council up to now. I want to take them up to task
29 next, because they put in their submission after the

1 16th November, they put in their submission to An Bord
2 Pleanála after the closing date for submissions for
3 everybody else. So, we have only got access to their
4 submission only a couple of weeks ago. But, it does
5 not obviate from the obvious reality that there is an
6 information deficit at the moment. We do not have
7 access to the information on a Marine Risk Assessment
8 or on the impact. You cannot preempt the result of a
9 Marine Risk Assessment before it is even started.

16: 41

10
11 So, you are saying the information is there, the
12 decision is made. The HSA said that they did not
13 object under LUP criteria, on 9th January. But after
14 we made a submission to them, based on input from three
15 LNG experts, as well as information from Alan Coughlan
16 of Shannon & Foynes Port Company, that they were
17 undertaking the Marine Risk Assessment and they wanted
18 our input. Therefore, the HSA, on the 11th January, we
19 were informed that they had already made their decision
20 on the Wednesday, which was posted out to everybody.

16: 41

16: 42

16: 42

21 But the following week the HSA made a declaration that
22 they are now reassessing everything. So, the HSA now
23 have admitted in writing, Pat Conneally, that they are
24 going to reassess everything. So that means that
25 decision of 9th January is no longer valid. You cannot
26 preempt or claim to know more than the HSA are able to
27 tell us.

16: 42

28 **MR. FITZGERALD:**

With respect, Inspector, it
would appear that we are

1 straying into matters that are very definitely within
2 the next module, which is health and safety. We have
3 expressly invited representatives of both Shannon
4 Foynes Port Company and the Health and Safety Authority
5 to address the oral hearing in relation to their
6 positions and, perhaps, in that context it might be
7 more appropriate to leave the matter over to the next
8 module.

16: 43

9 **INSPECTOR:** Did you say you had?

10 **MR. FITZGERALD:** No, no, sorry, that you had
11 invited. No, sorry, that
12 you had invited, sir, representatives expressly
13 yesterday and indicated a number of issues which you
14 would like them to deal with expressly. And it seems
15 that Mr. McElligott's question are now very definitely
16 touching upon those areas. It is a suggestion to you
17 that perhaps they should be left over to the next
18 module.

16: 43

16: 43

19 **MR. J. McELLI GOTT:** Yes, but whatever result
20 comes out of that we have
21 to go back and discuss this planning issue here, about
22 how it fits in with the current policy.

16: 43

23 **INSPECTOR:** Well, that's an implication
24 of it and we will take it
25 at that stage. But you have made an accusation there
26 about the HSA reversing its stance and I think it is
27 only fair that the HSA will be here to answer that.
28 So, I think it is best deferred until tomorrow.

16: 43

29 **MR. J. McELLI GOTT:** Okay, I will bring in all

1 the information then.

2 **INSPECTOR:** Have you any further

3 matters. Mr. Branigan, do

4 you want to speak again?

5 **MR. BRANIGAN:** May I just, before I 16: 44

6 started this row. May I

7 say that the situation, as it say appears to me now, if

8 their application is granted and they get the

9 opportunity to erect this terminal, then the question

10 of the use of the land in the way that we had put it 16: 44

11 forward as a modern port, with all the facilities, that

12 wouldn't arise. In the event that their application is

13 refused then we can reintroduce this concept of a joint

14 modern port, providing all the facilities that are in

15 demand, including the size of the ships, extensive 16: 45

16 means of dry dock, etc. But until such time as there

17 is a decision as to what is going to happen with this

18 application, the question won't arise.

19

20 But just one other point, sir. If it is, and I don't 16: 45

21 consider it is germane, but that's a matter for your

22 decision, I can make available a copy of this proposal

23 for a giant port, which I have presented at two

24 international conferences. I don't think it is

25 relevant to this, but if it is I can provide a copy of 16: 45

26 it. Okay?

27 **INSPECTOR:** Do the applicants have

28 any --

29 **MR. FITZGERALD:** It is a matter for you,

1 sir. There is no questions
2 arising from that.

3 **MR. BRANIGAN:** Do you want a copy of not?
4 Yes or no? No problem.

5 **MR. FITZGERALD:** It is a matter for you, 16: 45
6 Sir, whether you decide to
7 accept a copy. Certainly, if you accept a copy we
8 would be very grateful for a copy as well. But the
9 matter is entirely in your hands.

10 **INSPECTOR:** I think it is not 16: 46
11 particularly relevant at
12 this stage.

13 **MR. BRANIGAN:** That would be my opinion
14 too. So, it isn't directly
15 relevant at this time. Thank you, sir. 16: 46

16 **INSPECTOR:** Mr. McElligott?

17 **MR. J. McELLI GOTT:** I would also like an
18 opportunity to question the
19 industrial zoning of the land, the site. We have
20 already submitted an appeal to the European Union, a 16: 46
21 petition on the rezoning, which we believe was done
22 illegally, Because it did not undertake an SEA
23 Directive. Ri a Lyden said it was not a matter for
24 Shannon LNG, but I would like to be able to get Kerry
25 County Council's feedback on that, either now or later. 16: 46

26 **INSPECTOR:** Kerry County Council will
27 be making their own
28 submission and there will be an opportunity to question
29 at that stage.

MR. J. McELLI GOTT: Oh, I thought they said yesterday they weren't making any submission. Are you making a submission?

MR. SHEEHY: Mr. Inspector, we will deal with that question now, if you would like. I think it is appropriate that we deal with it now.

INSPECTOR: Okay. But not the question that is before Europe.

MR. SHEEHY: No. The lands in question are zoned for industrial development by the 7th variation to the Kerry County Development Plan. It was done totally and entirely in accordance with the relevant and the appropriate legislation, the Planning Acts and the SEA. There was a full SEA process carried out and, as far as I am aware, there is no judicial review or anything against that decision. As far as Kerry County Council are concerned, the land is zoned industrial and there is no question about it.

MR. J. McELLI GOTT: Yes, there is a question about it.

MR. O'NEILL: If I could just interrupt on this matter, sir. This is clearly a legal matter and I am sure, as Mr. McElligott is aware, having gone through the various procedures, that under the Planning Act any challenge to a decision of the planning authority to be

1 made under the Planning Act, including the adoption of
2 a Development Plan, must be challenged within eight
3 weeks. The variation to the Development Plan took
4 place in March 2007. As I understand it, no such
5 challenge has been mounted and perhaps that's the
6 reason why Mr. McElligott has tried to short circuit
7 the Irish jurisdiction and go straight to Europe. But
8 as far as you are concerned and as far as the Board is
9 concerned, you must treat the Development Plan and the
10 variation as legitimate until you are told by some
11 competent authority, some court, that it is invalid.
12 Therefore, I would suggest that any examination as to
13 the validity of that variation is not an appropriate
14 discussion for this forum.

16: 48

16: 48

15 **MR. J. McELLI GOTT:** Okay. I will inform the
16 Inspector that we have not
17 yet commenced legal proceedings, we have just put in a
18 complaint. That is not a legal procedure under the
19 court system.

16: 48

20 **MR. O' NEI LL:** It makes it even more
21 difficult then for
22 Mr. McElligott to raise this issue.

16: 48

23 **MR. J. McELLI GOTT:** Because I am dealing with
24 it in the planning
25 situation. If that was an invalid planning rezoning
26 then it was never there in the first place.

16: 48

27 **MR. O' NEI LL:** Sir, you are constrained
28 under the Planning Act to
29 have regard to various matters, include the development

1 -- sorry. The Board is constrained to have regard to
2 various matters, including the Development Plan, which
3 includes any variation to the Development Plan. Unless
4 and until the variation is declared to be invalid you
5 must have regard to it and you cannot entertain this. 16: 49

6 **MR. J. McELLI GOTT:** But then we have also
7 complained to the Minister
8 for Environment about this, what we consider to be an
9 invalid rezone, that the rezoning never took place and
10 we are waiting for a reply. 16: 49

11 **INSPECTOR:** Mr. McElligott, the
12 position at the moment is
13 that the zoning, as worded, stands. Now, what I was
14 getting at is how well does the proposed development
15 fit in with the wording of that zoning. That's what I 16: 49
16 would like either the planning authority to address or
17 that you would address and ask questions of the
18 planning authority.

19 **MR. SHEEHY:** I will address that now
20 Mr. Inspector, if that is 16: 49
21 appropriate.

22 **INSPECTOR:** Could I have your name
23 please.

24 **MR. SHEEHY:** Tom Sheehy, Senior
25 Engineer in the Planning 16: 50
26 Section in Kerry County Council. I think Shannon LNG,
27 in their submission, Ri a Lyden has made it quite clear
28 that there will be no exclusion zone and that the
29 evidence that they will supply tomorrow will indicate

1 that there is no exclusion zone.

2
3 Mr. McElligott subsequently raised a point that that
4 relates to terrestrial QRA assessment. But I would
5 draw your attention to the wording of the County
6 Development Plan which states:

7 "Lands have been identified at
8 Ballylongford Tarbert as suitable for
9 development as a premier deep water
10 port and for major industrial
development."

11 So, notwithstanding any issue which may arise tomorrow
12 regard the construction of additional facilities for
13 additional deep water facilities, additional industrial
14 development can take place on that land, which may not
15 be dependent on the construction of other port
16 facilities. Do you understand the point I am making
17 Mr. Inspector?

18 **INSPECTOR:** Just give it again, please?

19 **MR. SHEEHY:** The point I am making is
20 that there is an assumption 16: 51

21 that any further development subsequent to the LNG
22 proposal, if it is to proceed, would also require deep
23 water facilities and marine facilities. But that
24 assumption is not valid, in that other industrial
25 development and employment creating activities can take 16: 51
26 place on that land without the construction -- which
27 are not dependent on deep water port facilities. We
28 feel that the proposal being brought forward by the
29 Shannon LNG creates a source of energy, it creates

1 precedent for the provision of the infrastructure on
2 the site, and the point which has not been raised, and
3 it becomes relevant, and possibly for pharmaceutical
4 industries and things like that, is that there is also
5 a source of cold arising from this proposal. In that 16: 52
6 cooling, the regasification of the gassing plant is
7 also providing a possible source of cold which, again,
8 in addition to heat, can be very beneficial to other
9 industries, including the pharmaceutical industry.

10
11 So, the point that we would make is that the LNG
12 proposal fits very well with the policies and
13 objectives of the County Development Plan. The LNG
14 proposal does not preclude future industrial
15 development on the site. I would just like to clarify 16: 52
16 that point.

17 **MR. J. McELLI GOTT:** Can I answer that please?

18 **INSPECTOR:** Well, can I just ask: Do
19 you consider the employment
20 of 50 people on a site of this size to be a major 16: 52
21 employer?

22 **MR. SHEEHY:** What I would say,
23 Mr. Inspector, is that the
24 land has been there for close to 50 years with nobody
25 working on it. We see this as being a catalyst for 16: 53
26 future development. 50 people in the context of the
27 length of time that the site has been there, you know,
28 is a significant employer, in our view, and we feel
29 that the benefits of the project overall, it has

1 potential to act as a major catalyst for employment in
2 the future. Lands far in excess of the LNG site have
3 been zoned in industrial in the variation. So, there
4 are additional lands outside of the LNG application
5 zoned for industrial development and we feel that by 16: 53
6 the LNG project going ahead it will put the site up in
7 light, if you like, to other potential investors and
8 employers to come to that area. They will be able to
9 assess, you know, knowing that if a project of this
10 scale goes ahead, it will give confidence that the 16: 53
11 infrastructure is in place to facilitate other large
12 projects. On this basis we feel that, while the
13 immediate number is not huge, we feel it is very
14 significant.

15 **INSPECTOR:**

Now, three hands up. 16: 54

16 Mr. McElligott first.

17 **MR. McELLI GOTT:**

Can I just ask the same
18 question to Tom Sheehy as I

19 asked to Shannon Development and to Ri a Lyden. If it
20 turns out that no other industrial development could 16: 54
21 take place on the Landbank would you be able to give a
22 viewpoint on how just 50 jobs would tie in with what
23 you just said before this?

24 **MR. O' NEI LL:**

Sir, I don't want to
25 interrupt that question, 16: 54

26 but I think, to be fair to this witness, what
27 Mr. McElligott has suggested a few minutes ago is a
28 marine exclusion zone, not a land based exclusion zone.
29 He now seems to be changing that to suggest there will

1 be a land based exclusion zone.

2 **MR. J. McELLI GOTT:** The land based is with the
3 HSA and the marine based,
4 it is not the HSA that were saying it. He said that
5 the Development Plans said that the development of the 16: 55
6 land bank for marine -- for port facilities and major
7 industrial development. Not or. Port facilities and
8 industrial development. So, if there is either an
9 exclusion zone on land or on sea that will stop any
10 other development would you not say that that's 16: 55
11 contradicting all the policy documents in the county,
12 in Tarbert, everything?

13 **MR. O' NEI LL:** Sir, again I am sorry to
14 interrupt. I am conscious
15 of the hypothetical nature of these questions. If 16: 55
16 there is going to be evidence to suggest that there
17 will be some exclusion zone, either on the land or on
18 the sea, so be it, but it should be identified now.
19 Which of those two exclusion zones is going to apply?
20 Or, indeed, if both are going to apply that should be 16: 55
21 identified. There is no point having these
22 hypothetical questions when all the evidence is leading
23 towards no exclusion zone. If there isn't going to be
24 evidence of an exclusion zone well let us identify that
25 now and, perhaps, move on and ask questions which are 16: 56
26 more pertinent to the issues before you.

27 **MR. J. McELLI GOTT:** I have a letter here from
28 Pat Conneally of the HSA on
29 15th January. He says:

1 "Dear Mr. McElligott,
2 The Authority..."

3
4 That's the Health and Safety Authority.

5 "...has been reviewing its handling of
6 this matter and considers that further
7 clarification would be beneficial. The
8 authority would like to make it clear
9 that it is in the process of reviewing
the material your group submitted,
which will take some time.

16: 56

10 As you know, the oral hearing by An
Bord Pleanála into this application
11 will open on Monday next, January 21st,
in Tralee. Inspectors of the Authority
12 will attend the hearing and make
themselves known to the Chairman of the
13 hearing and indicate their availability
to attend and give evidence in relation
14 to the major accident hazard aspects of
the effects of land use planning."

16: 56

15
16 It says:

17 "If the additional information you have
18 submitted alters the view of the
Authority in anyway in relation to its
19 advice from An Bord Pleanála, letter of
January 9th, 2008, then the authority
20 will communicate this to the Board both
at the oral hearing and more formally
21 by letter."

16: 57

22
23 What this means is that it is also very hypothetical to
24 assume that there will be no exclusion zones. So, you
25 have asked questions based on the hypothetical idea
26 that there will be no exclusion zones. I am asking you
27 now to consider the hypothetical idea that there will
28 be exclusion zones. Which is actually not to
29 hypothetical given that it is a top tier Seveso II

16: 57

1 sites and similar sites can have exclusion zones of up
2 to 2km.

3 **INSPECTOR:** I think we will wait until
4 tomorrow for the health and
5 safety module on the issue of whether or not there may 16: 57
6 be an exclusion zone.

7 **MR. J. McCELLIGOTT:** Okay. But the three
8 groups: Shannon
9 Development, who own the land in trust for the people
10 of North Kerry; the developer, Ri a Lyden; and Kerry 16: 58
11 County Council have all emphasised time and time again
12 that this ties in with the Development Plan to develop
13 the landbank. Now, if it turns out that there is no
14 possibility to develop the rest of the landbank for
15 meaningful industrial development then they have all a 16: 58
16 lot of questions to answer. Thank you.

17 **INSPECTOR:** I think it is highly
18 hypothetical at this stage
19 and we will just wait till tomorrow on that issue.
20 Now, two more hands. Mr. Branigan? 16: 58

21 **MR. BRANIGAN:** I will be very brief, sir.
22 The land belongs to the
23 State, it is in the care, not the ownership, it is in
24 the care of Shannon Development, and they have
25 specifically said that it should be used for marine 16: 58
26 development. That's all. They said so. It is in
27 their care, they, presumably, have the authority to do
28 it and it is a Government owned land.

29 **INSPECTOR:** Ms. Griffin?

1 MS. GRIFFIN:

Just a few points I want

2 clarified by Mr. Sheehy.

3 First of all, in the Shannon LNG brochures it doesn't
4 say 50 jobs it says "up to 50 jobs". A plant I
5 researched in the United States, in Pasmaquadi,
6 advertised up to 60 jobs and there was actually 48
7 jobs.

16: 59

8
9 Secondly, at a Council meeting in November, which the
10 Kilcolgan Residents Association attended, a counselor,
11 Counselor Beasley I believe, asked the question to
12 Mr. Sheehy why the ground work was being done for four
13 LNG storage tanks when initially there was only going
14 to be two LNG storage tanks. Mr. Sheehy responded that
15 once the LNG was being stored in the first two tanks
16 that no heavy construction work, blasting, would be
17 permitted on the rest of the landbank. Now, if you
18 knew the landbank like I know the landbank, there is a
19 lot of rock on the landbank. So, does that mean that
20 once those two storage tanks are in place with LNG that
21 there won't be anymore heavy construction on the
22 landbank?

16: 59

16: 59

17: 00

23 MR. SHEEHY:

Mr. Inspector, the point I

24 was making at the council

25 meeting, when I was asked that question, was

17: 00

26 reiterating what had been contained in the EIS, that
27 where it was stated that it was likely that the ground
28 works for the four tanks and the platform, the
29 construction platform if you like, would be carried out

1 at the initial stages, to preclude the developer in
2 possibly developing the second two tanks, having to
3 blast in proximity to two constructed tanks that might
4 have gas in them, or even empty and which might cause
5 any structural damage to the tanks. Breaking of the 17: 00
6 rock by blasting is probably the quickest way to do
7 that. But there are many other ways of breaking rock.
8 You can use freezing, chemical means, rock ripping.
9 There is a number of different technologies and methods
10 available. So, to say that when the tanks are 17: 01
11 constructed the answer, in short, is that it does not
12 preclude rock removal for future construction projects.
13 **MS. GRIFFIN:** These other methods of
14 removing rock, are they
15 more expensive than blasting? 17: 01
16 **MR. SHEEHY:** I am not familiar with the
17 costs of the modern methods
18 of technology. Ripping, I imagine would be a lot
19 cheaper. I have seen the chemical ones used and it
20 seems to me to be quite a cheap process. My 17: 01
21 understanding as well of the rock in the Ballylongford
22 area is that it's kind of carsified (sic.) limestone to
23 it and that means it is already fractured to a certain
24 degree. So, I think that will, again, facilitate the
25 extraction of rock. 17: 01
26 **INSPECTOR:** Could I ask the developers:
27 You are opting for
28 blasting, is that right? Or is it just one option.
29 **MS. LYDEN:** Mr. Inspector, Mr. Eoin

Lynch will be giving a paper on the construction and all these construction related questions would be best left to him, if you don't mind.

INSPECTOR: Okay. But what I am getting at, and we will leave it now Mr. Lynch, but what I am getting at is if you have chosen to go the blasting route would it not be likely that the developer next door would do the same? But we will leave it for Mr. Lynch.

MS. LYDEN: Yes, I think we can address that in Mr. Lynch's evidence.

INSPECTOR: Okay.

MR. LYNCH: Noel Lynch, Ballinlongford. 17:03

Just a query I have in relation to Mr. McElligott here in front of me which I am just not that clear on. He refers to the coming on stream of Milford Haven terminal and the use of the Kinsale Head Gas Field as an emergency, as a different 17:03

option to building a terminal on the landbank. Is that correct?

MR. J. McELLI GOTT: What I was saying was that if there is going to be LNG needed -- no. One of the Government policies is that they want a source, an external source of, another source of gas and if one of those ideas, as put forward by Shannon LNG, is that we should have another source of gas, other than the pipelines through eastern

1 Europe, if the LNG is already being shipped to Milford
2 Haven then that means there is no risk from the cutting
3 of the pipelines in eastern Europe, because the ships
4 would already have got as far as Milford Haven and then
5 the gas from Milford Haven, which was LNG sourced, 17: 04
6 would go through the existing interconnector. That was
7 my idea there.

8
9 I am just saying that one of the reasons they give for
10 putting forward the LNG terminal is that Ireland needs 17: 04
11 another source of gas, coming through another source
12 other than the pipeline. And this is one possible way
13 to shortcut the pipelines in eastern Europe.

14 MR. LYNCH: Does that mean that you are
15 quite happy with the use as 17: 04
16 Milford Haven as an LNG terminal?

17 MR. J. McELLI GOTT: It is not for me to say
18 that. It is just that I am
19 just saying this is another alternative that has to be
20 looked at by the relevant authorities. We do not have 17: 04
21 the resources to analyse that in a greater detail.

22 MR. LYNCH: From your point of view, do
23 the people from Milford
24 Haven not have the same safety concerns as you have
25 about one that might be developed in the Shannon 17: 05
26 Estuary?

27 MR. J. McELLI GOTT: I can't speak for the
28 people of Milford Haven,
29 but what I am saying is that if it is already there and

1 if it is built and it is completed then that is another
2 source of LNG.

3 MR. LYNCH: But in your way of thinking
4 should you not be
5 advocating the closure of Milford Haven. 17: 05

6 MR. J. McELLI GOTT: No, like I say, up to know,
7 for everything else, it is
8 not really a question of what I think. I just put
9 forward possible alternatives and I am asking the
10 Authority to look at all those alternatives and decide 17: 05
11 if they are going to refuse planning permission here
12 that it is not stopping LNG sourced gas coming into
13 Ireland, it would be just through another route.

14 MR. LYNCH: Yesterday, on the radio,
15 you described and LNG ship 17: 05
16 as being the equivalent of five Hiroshima bombs. How
17 can you advocate the use of a terminal in Wales with
18 the same devastating potential?

19 MR. J. McELLI GOTT: It doesn't really matter
20 what I think, I just stated 17: 06
21 facts. That's all.

22 MR. BRANIGAN: Just one point, sir, if I
23 may, and purely for the
24 record. When my organisation decided that we would
25 favour the Kinsale preference, as it were, it was only 17: 06
26 because it seemed to have sufficient support from the
27 Department. But I merely want to say that we do not
28 want to be constrained and restricted in putting
29 forward any alternative proposals simply because we

1 chose that one. If later on, as I understand the
2 provisions of the Energy Act, 1906, you have the
3 authority -- I love the expression -- in your absolute
4 discretion. You have the authority. In the event that
5 there is a question of alternatives you have the
6 authority to raise the question later with whosoever is
7 involved. And I would like to consider that we have an
8 alternative, that we will be given the facilities to
9 put forward any other alternative that is practical and
10 sensible. Thank you.

17: 07

17: 07

11 **INSPECTOR:** Okay.

12 **MR. J. McELLI GOTT:** My other point was that
13 there is already LNG coming
14 into Ireland, possibly from the UK, through the Isle of
15 Grain and Teesside. That's LNG sourced gas, so it is
16 not only necessarily Milford Haven. And there are no
17 tanks there but it is being pumped straight into the
18 grid system. So we have already been indirectly
19 getting LNG anyway already.

17: 07

20 **INSPECTOR:** Okay. Mr. Fox?

17: 07

21 **MR. FOX:** Mr. Inspector, I am just
22 curious about something.

23 The standards of safety in Milford Haven and in the
24 other place, Dragon LNG plant, to what standard do they
25 comply? Is it equal to or Superior to the Irish
26 standard that would be applied by the HSA?

17: 08

27 **INSPECTOR:** I think you are addressing
28 the wrong person on that.
29 It would be to the relevant UK standards and, possibly,

1 the HSA may be able to say something on that.

2 **MR. FOX:** Maybe I could address the
3 people on my right here,
4 that some of those experts may be able to offer an
5 opinion. I don't know. Again, I too am an ordinary 17:08
6 man like Johnny so I don't have the resources. It is a
7 simple enough question: What standard? Is it equal to
8 or less than?

9 **MR. O'NEILL:** From a legal point of view,
10 the Seveso II Directive 17:08
11 applies to the UK as well and those standards would
12 then be applied, and those are the basis for the HSA
13 investigation and examination.

14 **MR. J. McELLI GOTT:** But is it not also that if
15 there are other laws in the 17:09
16 UK from the HSE, The Health and Safety Executive in the
17 UK, that if we do not have a specific law in Ireland we
18 will tend to look at the UK laws and from the HSE as
19 precedent and then to other laws. In practice is that
20 what happens? 17:09

21 **MR. O'NEILL:** The Directive is binding on
22 and has been implemented,
23 as I understand it, in the UK. The guidelines that are
24 issued from time to time are, of course, relied upon in
25 the UK, subject to the Directive and -- I am getting 17:09
26 into an area of expertise which I do not have now -- as
27 I understand are also regularly applied in this
28 jurisdiction. But I think you will need some properly
29 qualified person to answer that, and I think that

1 probably comes in under the next module, so.

2 **MR. FOX:** Just finally. Is it a
3 reasonable assumption that
4 the safety standards in England have been applied to
5 both of those plans because they are under construction 17: 09
6 at the moment?

7 **INSPECTOR:** I presume it is.

8 **MR. O'NEILL:** We can answer that
9 specifically in the next
10 module, sir. 17: 10

11 **MR. ROBINSON:** Can I just say that in
12 Milford Haven on land the
13 HSE have initially failed the Exxon plant and by method
14 of putting more valves in they managed to get it past
15 in building more bunds, so that the blast zones didn't 17: 10
16 effect the town, supposedly. But they then went on to
17 the water and failed it on the water. Now, it wasn't
18 their jurisdiction to go on to the water, it was taken
19 out of their hands by the office of the Deputy Prime
20 Minister, who was John Prescott at the time. It was 17: 10
21 then handed by John Prescott to Milford Haven Port
22 Authority to do the Risk Assessments for the water.
23 Which they have not done. So, we now have two LNG
24 projects almost ready to go, but they don't have Risk
25 Assessments for a spill on water. 17: 11

26
27 Now, what you need to do here is make sure that you
28 have the Risk Assessments for a spill on water for at
29 least 1/5th of the cargo. What we have in Milford

1 Haven is the spill on the water for one hire down (as
2 heard) from one ship, from ship to jetty. On that hire
3 down there are two isolation valves, one on the jetty,
4 one on the ship. There are emergency closures valves.
5 There are emergency closure valves so if that hard on 17: 11
6 break, it has a guillotine cut, it will shut down and
7 the pump on the ship will also shut down. So, the
8 likelihood of what you are going to spill is in a ten
9 hire down, going up and down, I would say it is about
10 10 cubic metres. 17: 11

11
12 Now, in America they look at a metre hole in the size
13 of a ship and up to 12 metre hole in the side of a ship
14 in one tank. They never look at the cascading failure
15 of the other tanks once one tank is on fire. I 17: 12
16 shouldn't bad mouth our Port Authority, or Exxon, but
17 it is well known that a pool fire on the side of a ship
18 can spread to 1.9 kilometres. Not the pool itself, but
19 the radiant heat up to five kilowatts per metres
20 squared. To give you an idea on what that means: That 17: 12
21 would burn you skin to blisters in 30 seconds.
22 Now, that's for a 12 metre hole in the side of one
23 tank. I should point out that our Royal Naval
24 Institute lifeboat is 900 metres from that Exxon ship.
25 That is how bad it can get. 17: 13

26
27 We have been to the courts numerous times, it has cost
28 us an absolute fortune, and we are still being turn
29 down on a clause that said we were out of time. What I

1 was hearing earlier about out of time I have got a
2 feeling of déjà vu about that quite honestly. I am not
3 sure if you were saying that Johnny is out of time.
4 But if the courts are going to find this one out of
5 time as well then there is definitely something wrong. 17: 13

6
7 My advice to the County Council here, if it is the
8 County Council make the decision, is do your own Risk
9 Assessments. Don't let the HSE -- HSA do them and
10 don't let the companies do them, because they come to 17: 13
11 their own conclusions. I think we will hear tomorrow
12 from Dr. Gerry Havens just the extent that these things
13 could impact the local population.

14 INSPECTOR: Okay, well I think that's
15 best left until tomorrow. 17: 14

16 MR. ROBINSON: Yes, I do.

17 INSPECTOR: Until we hear Dr. Jerry
18 Havens.

19 MR. ROBINSON: These are very serious
20 matters. We have got a 17: 14

21 crude oil port there. With crude oil it is the
22 environment that suffers if it is spilled. With LNG,
23 if it spilled SIGTTO say it is people and property that
24 are involved. So that's what we are talking about. If
25 it is spilled it doesn't affect the environment. 17: 14

26 I have got quite a bit to say on it tomorrow so I will
27 leave it until then.

28 INSPECTOR: Thank you. Does anybody
29 else have anything further

1 to ask the applicants on their presentation?

2 **MR. KEARNEY:** In relation to the plans
3 and policies, I would like
4 Ms. Lyden to explain the exert from the Southwest
5 Regional Guidelines. There is a paragraph there on 17: 15
6 page 9 of 22. I would like Ms. Lyden to read out that
7 paragraph and tell me exactly how that applies to
8 Shannon LNG and not to the existing Bord Gáis network.

9 **MS. LYDEN:** Could you give me the
10 reference again please. 17: 15

11 **MR. KEARNEY:** It is page 9 of 22, it is
12 exert from the Southwest
13 Regional Guidelines.

14 **MS. LYDEN:** This is a paragraph
15 beginning "an extension", 17: 16
16 is it?

17 **MR. KEARNEY:** Yes.

18 **MS. LYDEN:** "An extension of the gas
19 network to the Kerry hub",
20 that is the paragraph you are talking about? 17: 16

21 **MR. KEARNEY:** Yes. It was written in
22 2004, and how that applies
23 to Shannon LNG.

24 **MS. LYDEN:** Okay so, how does this
25 paragraph apply? 17: 16

26 **MR. KEARNEY:** How does that exert that
27 you have used from the
28 Southwest Regional Guidelines, how does that apply to
29 Shannon LNG as a company and their provision of gas?

1 Where, in my opinion, it clearly refers to Bord Gáis's
2 network.

3 MS. LYDEN: Well it applies to "the gas
4 network".

5 MR. KEARNEY: Could you read it out
6 please.

7 MS. LYDEN:

8 "An extension of the gas network to the
9 Kerry hub, if economically feasible,
10 would help provide an alternative
11 energy supply and act as a stimulus to
12 economic development and its extension
13 is supported by the RBG. The planning
14 authority should take into account the
15 location of strategic gas
16 infrastructure when planning policy is
17 being considered. Similarly, when
18 considering detailed layout of
19 development at the planning application
20 stage to as far as possible to avoid
21 the need for relocation of the gas
22 transmission infrastructure."

17: 16

17: 17

17 MR. KEARNEY: That clearly refers to Cork
18 County.

19 MS. LYDEN: Cork county?

20 MR. KEARNEY: Yes. Well, existing gas
21 infrastructure is not in place in Kerry.

17: 17

22 MS. LYDEN: Well "an extension of the
23 gas network to Kerry hub".

24 MR. KEARNEY: Bear in mind that this was
25 actually written in 2004 so
26 they are probably referring to the Mallow.

17: 17

27 MS. LYDEN: Well, the guidelines are
28 looking forward for 16
29 years so these are planning guidelines which

1 should. . . (INTERJECTION).

2 **MR. KEARNEY:** Exactly, based on the Bord
3 Gáis network that was in
4 place at the time and no mention of Shannon LNG.

5 **MR. O'NEILL:** Perhaps the witness would 17: 17
6 be allowed answer the
7 question.

8 **MR. KEARNEY:** I am just qualifying my
9 question.

10 **MR. O'NEILL:** Yes, that's quite 17: 17
11 legitimate, but I think the
12 witness should be allowed answer the question and then
13 the question can be qualified if needs be.

14 **MS. LYDEN:** The Regional Planning
15 Guidelines were prepared in 17: 18
16 2004, this proposal hadn't been made then. But the
17 guidelines don't, and can't, under Irish and EU
18 legislation, only refer to the extension of Bord Gáis's
19 network. It seems to me here the emphasis is on
20 providing infrastructure to Co. Kerry to improve 17: 18
21 economic development in Co. Kerry. So, how the gas
22 comes, as long as it comes to Tralee and Killarney,
23 would seem to be the point on my reading of this.

24 **MR. KEARNEY:** Surely the author of the
25 guidelines at the time 17: 18
26 would take into account what is actually existing on
27 the ground. Sorry, just before I finish. It is clear
28 as day:

29 "The planning authority should take

1 into account the location of strategic
2 gas infrastructure when planning policy
3 is being considered. Similarly, when
4 considering detailed layout of
5 development at the planning application
6 stage."

5 So that, obviously, refers to a local authority region 17: 19
6 that has a gas network in place.

7 MS. LYDEN: But the paragraph is
8 saying "an extension to the
9 grid".

10 MR. KEARNEY: But they are probably 17: 19
11 referring to Mallow into
12 the Kerry hub, which is Killarney and Tralee.

13 MS. LYDEN: There is nothing in this to
14 say that... (INTERJECTION)

15 MR. KEARNEY: Perhaps we should get 17: 19
16 clarification from the
17 author of this document.

18 MR. SHEEHY: Mr. Inspector, may I
19 comment. Mr. Inspector, we
20 were consulted during the preparation of the Regional 17: 19
21 Planning Guidelines and it is a document that we had a
22 lot of input into, its formulation, and I can confirm
23 that it was part of Kerry County Council's submission,
24 if you like, at the time, in discussions with the
25 author of the document, that the gas network should be 17: 19
26 extended into Kerry.

27
28 Now, there was no indication at the time that Shannon
29 LNG would come on board. But that is not the point

1 here. What we were saying is we needed gas in Kerry to
2 promote the economy of the county. In the view of
3 Kerry County Council, the wording:

4 "...the extension of the gas network to
5 the Kerry hub..."

17: 20

6
7 Effectively, by the Shannon LNG project going ahead and
8 the construction of the gas pipeline defines, it is
9 effectively extending the gas pipe going into Kerry and
10 making the feasibility of the extension of the gas
11 network to Tralee and into the Kerry hub, obviously,
12 more likely in the future.

17: 20

13 **MR. KEARNEY:** But is that what is
14 inferred in that document,
15 the Shannon LNG?

17: 20

16 **MR. SHEEHY:** No, because they weren't
17 there at time. But we
18 didn't specify Mallow from Foynes from anywhere. What
19 the document was saying was that gas infrastructure was
20 needed in the county.

17: 21

21 **MR. KEARNEY:** But do you think, in
22 your professional opinion,
23 that what they are referring to in this document is an
24 extension of the Mallow Bord Gáis pipeline into Kerry?
25 It is not too far from Killarney. Killarney is a good
26 distance from Ballylongford.

17: 21

27 **MR. SHEEHY:** And tomorrow if somebody
28 came along and said they
29 were going to extend the Mallow pipeline to Killarney

1 this statement would be equally valid. It is not an
2 either or, or nor is it a both.

3 MR. KEARNEY: I think in the absence of
4 Shannon LNG technology or
5 the company being touted at that time this document 17: 21
6 actually refers to the Bord Gáis network. I will leave
7 the interpretation up to the Inspector, but that's my
8 own opinion. I think I will just leave it at that.

9 MR. J. McELLI GOTT: I would like to point out
10 one other issue that was 17: 21
11 raised by Clare County Council when they were objecting
12 to the rezoning of the grounds. They said that:

13 "...the proposed rezoning is likely to
14 have a significant impact on the future
15 development of the region and will have 17: 21
16 a direct impact on the planned
17 objectives for the Midwest Regional
18 Guidelines for the Shannon Estuary, and
19 in particular the planning, economic
20 and service infrastructural development
21 objectives for Zone 5 of the plan. Any
22 industrial development, including the
23 construction of a deep water harbour,
24 will have a major impact on both the
25 visual and ecological amenities of the
26 area and potentially on the lower 17: 22
27 Shannon estuarine environment,
28 including the foreshore of Co. Clare.
29 Clare County Council would like an
appraisal of any SEA investigation
which may have been undertaken in
respect of the proposed variation."

25 So, it was just that Clare County Council, just to 17: 22
26 inform the Inspector, that the Clare County Council
27 were not in the least bit happy.

28 INSPECTOR: I am aware of that. We
29 have been over that, that

1 is now decide. Unless you succeed in getting it
2 reversed. But for the moment the zoning stands.

3 **MR. J. McELLI GOTT:** Oh yeah, I am not talking
4 about the zoning. But I am
5 just saying they don't agree with -- their 17: 23
6 interpretation of the Midwestern Development Policies
7 conflicts with Ria Lyden's interpretation. They don't
8 think it is positive, this development, in that sense.

9 **MR. KEARNEY:** Clare County Council are a
10 local authority in the 17: 23
11 Midwest region. Kerry County Council are a local
12 authority in the Southwest region. If Clare local
13 authority say that the proposal doesn't accord with the
14 Midwest Regional Guidelines then I think we should take
15 their word over Ms. Lyden or Kerry County Council. 17: 23

16 **MR. J. McELLI GOTT:** And, also, Kiltrush Town
17 Council say that they agree
18 with Clare County Council in their submission. So,
19 also, Kiltrush Town Council have serious reservations
20 about the interpretation of the regional policies. 17: 23

21 **INSPECTOR:** But the zoning stands.

22 **MR. J. McELLI GOTT:** No, it is not the zoning, I
23 am just talking about the
24 whole development as a whole.

25 **INSPECTOR:** Okay. 17: 24

26 **MR. SHEEHY:** Excuse me, Mr. Inspector,
27 if I may comment. I just
28 want to clarify, in case you are under the impression
29 that Clare County Council are not happy with the zoning

1 on the site. That's not the case. Clare County
2 Council have never expressed an unhappiness with the
3 zoning on the site, just that they wanted to see a copy
4 of the Strategic Environmental Assessment which was
5 carried out. I am not aware of them being unhappy with 17: 24
6 the zoning of the site.

7 **INSPECTOR:** I thought their argument
8 was that no Strategic
9 Environmental Assessment had been carried out.

10 **MR. SHEEHY:** No, their argument was they 17: 24
11 had not received a copy of
12 the Strategic Environmental -- the wording of their
13 correspondence said "we would appreciate a copy of the
14 Strategic Environmental Assessment".

15 **MR. KEARNEY:** They were looking for a 17: 24
16 copy of the Screening
17 Report and the assessment, that they expected to happen
18 afterwards but which Kerry County Council failed to
19 conduct, in breach of the EIS.

20 **MR. SHEEHY:** That is not true. 17: 24
21 Mr. Inspector, we have gone over this matter. It is
22 the zoning. The zoning stands unless proven otherwise.
23 But I will just clarify that Kerry County Council
24 carried out all the Screening Reports, notified all the
25 statutory bodies, employed a consultant to assess the 17: 25
26 submissions and a recommendation, the screening report,
27 was received and signed off and was on public display
28 for anybody who wanted to see it. So, I mean, there is
29 not an issue with Clare County Council with regard to

1 the SEA or to the zoning of that land.

2 **MR. KEARNEY:** Unfortunately Kerry County

3 council... (INTERJECTION)

4 **INSPECTOR:** Just hold on a moment, I

5 just want to clarify this 17: 25

6 with Mr. Sheehy. Your Screening Assessment came to the

7 conclusion that a Strategic Environmental Assessment

8 was not necessary; is that right?

9 **MR. SHEEHY:** The consultants we employed

10 for it came to the 17: 25

11 conclusion that a Strategic Environmental Assessment

12 report was not necessary following the screening

13 process as laid down in the regulations.

14 **INSPECTOR:** And Clare County Council

15 got no further than asking 17: 26

16 you for the Strategic Environmental Assessment, which

17 was never carried out.

18 **MR. SHEEHY:** Clare County Council asked

19 us for a copy of the

20 Screening Report. 17: 26

21 **INSPECTOR:** Right. Okay.

22 **MR. KEARNEY:** What Kerry County Council

23 failed to include in the

24 Screening Report was the proposed likely use of the

25 lands, which is Shannon LNG. Now, it clearly states in 17: 26

26 the SEA guidelines that you are supposed to include the

27 proposed likely use of the lands, and, also, if it is

28 Seveso II.

29 **MR. SHEEHY:** The proposed use of the

1 guidelines and Development Plans must also be taken
2 into account, which she has not included.

3
4 I will give you one example. In Killigisert there is a
5 planning application for an explosives factory. If an 17: 27
6 explosives factory is going to take place that might
7 work with the County Clare Development Plan, according
8 to the planning process there, from what I can
9 understand, but that will have an affect on this
10 application. So, I therefore ask that the Clare County 17: 28
11 Council submission be looked at seriously in assessing
12 the planning policy documents, both at a local, county
13 and regional level and intercounty level.

14 **INSPECTOR:** Okay. Mr. Brani gan?

15 **MR. BRANI GAN:** Up to now I have completed 17: 29
16 avoided the question of
17 safety, it doesn't arise at this particular, but I find
18 myself in complete accord what our friend from Milford
19 Haven has said and I hope that his advice as to what
20 steps should be taken to ensure that we have 17: 29
21 difficulties will be taken by the relevant people.
22 We don't have to prove -- and when there is a question
23 of safety arises and I have no problem in dealing with
24 it -- we don't have to prove that this is an extremely
25 volatile and dangerous thing to be playing with. 17: 29
26 Forgive me for saying playing with, but the process.
27 That has been established beyond all reasonable doubt
28 on the basis of the very regulations that existed to
29 try and prevent it. That is the measure of its

di ffi cul ty.

But insofar as those regulations are concerned, we find that the various operators have applied each of the reservations and have succeeded in holding back or preventing difficulties. But, we don't say, and never will say, that an accident will happen. But I can't say that it won't. Thank you, sir.

I NSPECTOR: Okay, thank you.

MR. ROBINSON: Could I just ask the LNG companies how much CO₂ is produced when they produce the LNG in the producing countries? How many tonnes of LNG are produced for one tonne of CO₂.

MR. SHEARER: We don't have an exact figure, but we spoke to that point this morning.

MR. ROBINSON: What was a ballpark figure?

MR. SHEARER: We di dn' t produce a
bal l park fi gure.

MR. ROBINSON: Would you agree that the Kayta Exxon Liquefaction plant is producing, and that's the best one in the world, supposedly, is producing 5 tonnes of LNG for every one tonne of CO₂ they put into the atmosphere? Would you also agree that the CO₂ that goes into the atmosphere in Kayta is not counted what we burn that LNG in this country?

MR. SHEARER: I have no idea where your

1 figures come from. We
2 would be happy to take the documentation of those and
3 look at them and comment on them with the supporting
4 detail. What we commented on this morning was a Green
5 Peace report and we pointed out the obvious errors in 17: 31
6 that Green Peace report. As far as -- sorry, the
7 second point you raised was? Your question was the
8 quantity of CO₂ produced.

9 **MR. ROBINSON:** When it is burned here do
10 you take that 1 tonne that 17: 31
11 is produced for every 5 tonnes in Kayta, do you take
12 that into account here in your Kyoto Agreement.

13 **MR. SHEARER:** That would be a question
14 for the Irish government
15 and the way they measure compliance in Kyoto. But it 17: 32
16 is -- excuse me, sir, may I finish. But it is my
17 understanding that the issue of who is going to be
18 charged with the CO₂ created by the transportation
19 industry is matter of international debate, not just
20 for shipping, not just for shipping LNG but for 17: 32
21 shipping any product, for delivering product by road
22 lorries across Europe and for airline travel. So, the
23 issue is wide open, it is on the table and I am not
24 aware that there is any convention that governs it at
25 this point in time. 17: 32

26 **MR. J. McELLIOTT:** It is my understanding that
27 the Kyoto Protocol is only
28 liable for the carbon CO₂ emissions we create in
29 Ireland. In the spirit of the Kyoto Protocol we should

1 have considerations for the CO₂ emissions we are
2 creating elsewhere, but we do not have to pay the
3 carbon credits for what they are producing outside the
4 country. Maybe I am wrong.

5 **MR. SHEARER:** What I said this morning, 17: 32
6 too, was that in countries
7 like Nigeria and Angola and other places in west
8 Africa, where significant volumes of natural gas are
9 flared in conjunction with oil production, that gas is
10 now being recaptured, liquefied into LNG and shipped 17: 33
11 into the consuming nations. Those types of analysis
12 give no credit to the reduction in gas flaring, which
13 it is a major source of global CO₂ emissions.

14 **MR. ROBINSON:** Could I ask: You are an
15 energy company? Will you 17: 33
16 agree you are an energy company?

17 **MR. SHEARER:** We are most certainly an
18 energy company.

19 **MR. ROBINSON:** What percentage of your
20 production of LNG is 17: 33
21 renewable.

22 **MR. SHEARER:** You would have to look, we
23 have got it in the Annual
24 Corporate Sustainability Report right there on the
25 table, I think the details are there. 17: 33

26 **MR. ROBINSON:** Do you agree that offshore
27 here there is ample amount
28 of absolutely free energy. Mr. MacIntyre, you have
29 mentioned the polamis, the sausage-type machine. Now,

1 this is an ideal place to build them and to operate
2 them. Now, why don't you invest in something like that
3 instead of a dirty energy like this. Because this is a
4 fossil fuel and there has been a report, which I think
5 I have got with me, from the University of Carnegie 17: 34
6 Mallon in the United States saying that LNG is dirtier
7 than clean coal technology. That's supposing you can
8 seek a straight CO₂ from a clean coal power station
9 underground.

10 MR. SHEARER: Okay, that's a series of 17: 34
11 statements there and
12 questions so let me try and address those in order. If
13 the energy is free, I don't know why you, sir, would
14 not be willing to go out there and exploit it and sell
15 it to Ireland at market prices which... (INTERJECTION). 17: 34

16 MR. ROBINSON: But we don't have the money
17 to do it.

18 MR. SHEARER: Excuse me, sir, I am now
19 responding to your
20 question. But I thought it was free, so you don't need 17: 34
21 any money. And, therefore, sell to Ireland at a very
22 vast profit, given that Ireland is paying some of the
23 highest electric and energy prices in Europe. The
24 second thing, as Mr. MacIntyre said very clearly, a lot
25 of this technology is unproven and untested. It is 17: 35
26 also intermittent in many cases in its availability.

27
28 Ireland is a particularly beneficial climate in which
29 to build windmills. Unfortunately, one of the

1 attributes of windmills is, as you probably are aware,
2 is wind doesn't blow all the time and the windmills
3 don't turn all the time. When the wind isn't blowing
4 and the windmills aren't turning we need to keep the
5 electric grid running with the lights on and that means 17: 35
6 we have to burn fossil fuel to backup alternative
7 energies. Please, sir, I am not finished yet.

8
9 You raised a third question. The Carnegie -- oh, I am
10 sorry, I am going too quickly. The Carnegie Mellon 17: 35
11 report that you referred to, as you rightly pointed
12 out, compared the uncontrolled emissions of CO₂ from
13 natural gas fired power plants with the sequestered
14 emissions from advanced coal fired power plants in the
15 United States. I would note in passing that neither 17: 36
16 the advanced coal fired power plants, nor the
17 technology for sequestering CO₂ underground yet exists,
18 let alone has been proven.

19 **INSPECTOR:** So, no such plant exists?

20 **MR. SHEARER:** No such plant exists 17: 36
21 anywhere in the world that I am aware of. There are
22 some elements of some part of that energy production
23 chain that exist in experimental phases. That's all I
24 know.

25 **MR. ROBINSON:** On your point of the 17: 36
26 windmills, the wind not
27 blowing, the Dutch have solved that problem. They have
28 built out at sea a huge tank, a concrete tank, on the
29 seabed. They have got a flat top to it, where the

1 windmills are. When the wind is blowing the windmills
2 are turning and they are producing power for the Dutch.
3 Then they pump out the tank, so you have got an
4 underground lake, if you see what I mean, and then when
5 there is no wind they let the sea water run into the 17: 37
6 underground tank and so you have an accumulator, if you
7 like. So you have got 24-hour production from
8 windmills.

9
10 So why are you intent on using the dirty fossil fuels 17: 37
11 when you could be using a free source of power, and
12 making a vast profit? After all, that's what you are
13 all about.

14 MR. SHEARER: Well, sir, we are not just
15 about making a vast profit, 17: 37
16 but let me respond once again. If it was free lots of
17 people... (INTERJECTION)

18 MR. ROBINSON: Well, a fair profit.

19 MR. SHEARER: If this was free technology
20 most people would be using 17: 37
21 it. Second of all, it is not we who are burning
22 energy, it is the consumers in Ireland, in Europe and
23 the rest of the world who burn energy. I am sorry to
24 say we are simply in the business of delivering the
25 energy that the customers want. 17: 37

26 MR. ROBINSON: Do you agree climate change
27 is taking place?

28 MR. SHEARER: I am not an expert on
29 climate change.

1 MR. ROBINSON: Can you see that most
2 people in this room now
3 believe that it is taking place?

4 MR. SHEARER: I could believe it is
5 taking place, yes. 17: 38

6 MR. ROBINSON: Do you think we should do
7 something about it.

8 MR. SHEARER: And I believe Ireland has
9 one of the most advanced
10 regimes in Europe for doing something about it and as 17: 38
11 part of that the government has embraced a very
12 progressive policy.

13 MR. ROBINSON: Is your
14 project... (INTERJECTION)

15 MR. SHEARER: Excuse me, sir, I am not 17: 38
16 finished speaking. It is a
17 very progressive policy in the development of
18 alternative energies and has one of the most ambitious
19 targets for renewable energy in the western world.
20 That is a third of the energy produced by wind. As 17: 38
21 part of the study of that particular thing the Irish
22 grid operator, EirGrid, who has no vested interest in
23 the process, performed a detailed analysis of the
24 impact of the wind regime in Ireland and the targets
25 for wind provided electricity and came to the 17: 39
26 conclusion that Ireland would need, as a means of
27 solving its reliability requirements, to install
28 significant amounts of thermal fired energy, probably
29 quick start gas fired power plants, to back up the

1 windmills.

2
3 As for the Dutch technology to which the commenter
4 refers, I am sure if it is that applicable and that
5 efficacious and profitable the Dutch will be over here 17: 39
6 very quickly with it to sell to the Irish people and, I
7 am sad to say, they are going to make the profits we
8 will not get.

9 **MR. J. McELLI GOTT:** Can I raise just one point
10 there. Considering that 17: 39
11 this project is going to have to buy carbon credits,
12 and since we do not have a yet declared policy,
13 Government policy on LNG storage, gas storage, we do
14 have Government policies that are being declared daily
15 on the climate change policies and there is a lot of 17: 40
16 recent declarations by the Energy Minister and the
17 Environment Minister which seem to put more emphasis on
18 the renewable energy sector and our obligations under
19 Kyoto than there is on gas importation. So, I would
20 ask the Inspector to, when he's making his decision, to 17: 40
21 look at the obligations we have clearly stated on
22 renewable energy, as opposed to the very vague
23 statements that have been made on gas importation and
24 security of supply.

25 17: 40
26 Now, also, I would like to just put forward the point
27 that in Shannon LNG's application they have clearly
28 stated that their intention is to develop a possible
29 gas power plant, because they even had it marked on the

1 maps on their EIS and the non-technical summary. If
2 you build a gas power plant you are going to have to
3 feed into that gas power plant for the next 25 years.
4 So, I am just asking, Inspector, to take into account
5 that if they put in the heavy capital investment in a 17: 41
6 fossil fuel burning gas power plant then we are tying
7 ourselves into that gas importation, which would be in
8 contradiction to our policies of encouraging renewable
9 energies, for the simple reason that you are going to
10 crowd out other probably less commercially profitable 17: 41
11 renewable energy alternatives. Thank you.

12 **MR. POWER:** Mr. Inspector, I would just
13 like to say that in the
14 evidence that we presented yesterday the Government
15 White Paper is very, very clear that they support, that 17: 42
16 the Government supports the LNG proposal. I should
17 also add that our energy Minister, who is represent the
18 Green Party, that is energy Minister Eamon Ryan, made
19 the following statement in a recent Dáil debate.

20 "The planned development of a merchant 17: 42
21 LNG storage facility at Shannon will
22 also have a positive impact on the
23 security of gas supply and improve our
24 connectivity to the global gas market."

25 **MR. J. McELLI GOTT:** Are you saying so that the 17: 42
26 Minister for Energy has
27 specifically stated he is for the Shannon LNG project
28 in particular?

29 **MR. POWER:** Yes. I have spoken with

1 the Minister and he has
2 advised or expressed support for the project.

3 MR. J. McELLI GOTT: But has he said it on the
4 record, that he supports
5 specifically Shannon LNG's planning application? 17: 43

6 MR. POWER: I think I have just read
7 out what the Minister
8 actually said in the Dáil. I am quoting what he has
9 said:

10 "The planned development of a merchant 17: 43
11 LNG storage facility at Shannon will
12 also have a positive impact on the
13 security of our gas supply and improve
14 our connectivity to the global gas
15 market."

15 INSPECTOR: Do you have the date of 17: 43
16 that statement?

17 MR. POWER: Yes, it was 27th November,
18 2007.

19 INSPECTOR: Okay, does that conclude?

20 MR. J. McELLI GOTT: Sorry, I just want to 17: 43
21 confirm. Did he just say about a gas storage facility?

22 INSPECTOR: No, he was specific, he
23 said the LNG storage in
24 Shannon.

25 MR. J. McELLI GOTT: I need to look at this, can 17: 44
26 I revert to that tomorrow?

27 INSPECTOR: Okay. Can we conclude at
28 this stage. It is quarter
29 to six so we will break early tonight. Mr. Fox, you

1 have one last observation or question?

2 MR. FOX: Just in relation to
3 tomorrow. Can you give any
4 time scales? We have jobs to go to and I hate to miss
5 any of this, it is so entertaining. I have things to 17: 44
6 do as well. I know you are starting at 10 o'clock, but
7 do you anticipate that you will be on to the health and
8 safety by 12 o'clock? After lunch?

9 INSPECTOR: Well, I would expect that
10 the health and safety would 17: 45
11 take, at least, all day, and possibly longer. A lot
12 will depend, I think, on Mr. McElligott's expert
13 witness, Dr. Havens. But he also has two other
14 witnesses. Is that right?

15 MR. J. McELLI GOTT: Yes. 17: 45

16 INSPECTOR: So, I think it will
17 certainly take tomorrow,
18 and possibly part of the next day.

19 MR. FOX: So you will be starting
20 that phase at 10 o'clock 17: 45
21 tomorrow morning?

22 INSPECTOR: The health and safety issue
23 will start tomorrow.

24 MR. FOX: Thank you.

25 INSPECTOR: Thank you everybody. 17: 45

26
27 THE HEARING WAS THEN ADJOURNED TO WEDNESDAY, 23RD
28 JANUARY 2008 AT 10 A.M.

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