

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, 29TH JANUARY, 2008

AT THE BRANDON HOTEL, TRALEE, CO. KERRY - DAY 7

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

7

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THE HEARING RESUMED AS FOLLOWS ON TUESDAY, 29TH JANUARY
2008

INSPECTOR: Good morning everybody. 10: 03

This is day 7 of the

Shannon LNG oral hearing and I would just ask that you

take your seats. Just to remind we have had several

episodes of the Lone ranger riding across the stage so

if people could please turn off their mobile phones. 10: 03

Yesterday we left off during the Applicant's presentation on other matters and those were to include roads and traffic, noise, vibration, dust etc. and when we left off we just completed the roads and traffic section, Mr. Tony Lynch had finished speaking and he has left us today I think so we now want to go on with the Applicant's next speaker please.

MR. O'NEILL: Good morning, Sir. The next speaker is Mr. Michael Biggane who is going to deal with community and employment issues.

1 MR. MICHAEL BIGGANE ADDRESSED THE ORAL HEARING AS
2 FOLLOWS

3
4 MR. BIGGANE: Good morning,
5 Mr. Inspector. My name is 10: 04
6 Michael Biggane and I am head of Human Resources and
7 Corporate Affairs with Shannon LNG. I hold a Diploma
8 in Industrial Engineering, a Higher Diploma in
9 Management Engineering and an MBA from UCG.

10 10: 05
11 Prior to joining Shannon LNG in 2006, I held senior HR
12 positions for 25 years including that of Group HR and
13 PR for Irish National Petroleum Corporation, which
14 Whitegate Oil Refinery and Bantry Oil Storage Terminal.
15 Earlier positions included that of Personnel Director 10: 05
16 with Sara Lee in Killarney and HR manager with
17 Burlington Industries in Tralee.

18
19 I have been responsible for setting out and managing
20 Shannon LNG's offices in Listowel which coordinates all 10: 05
21 site related activities and community liaison. I have
22 worked closely with Shannon Development and the
23 Steering Group established by Ballylongford Enterprise
24 Association and Tarbert Development Association under
25 the chairmanship of Shannon Development to liaise with 10: 05
26 Shannon LNG.

27
28 To keep the legal community informed of developments,
29 Shannon LNG held a number of meetings with the steering

1 group, published a number of newsletters and held
2 information days. A number of visits to LNG terminals
3 were arranged. I participated in the preparation of
4 the Environmental Impact Statement, in particular
5 section 22 volume 1 and section 15 volume 2.

10: 06

6
7 My principal points of evidence will cover:

- 8 1. Community information and consultation;
9 2. Employment.

10: 06

10
11 Following the announcement of the proposed LNG terminal
12 in May 2006, the Ballylongford Enterprise Association
13 and Tarbert Development Association formed a steering
14 group under the chairmanship of Shannon Development to
15 ensure close communication with Shannon LNG. Meetings
16 with the steering group were held in June '06, October
17 '06 and March '07 and August '07. Newsletters on the
18 proposed LNG terminal were published in May '06,
19 December '06, May '07 and December '07. The
20 newsletters were distributed directly by Shannon LNG to
21 the householders immediately adjacent to the proposed
22 terminal and through the Ballylongford and Tarbert
23 associations to the wider community.

10: 06

10: 06

24
25 To promote community understanding of the project, in
26 March 2007 the Steering Group visited an LNG terminal
27 under construction in Milford Haven. In May '07 the
28 Steering Group visiting an operating LNG terminal in
29 Zeebrugge. In July '07 a group, including some of the

10: 07

1 residents close to the site, visited an operating LNG
2 terminal in Barcelona.

3
4 In April '07 Shannon LNG held two information days in
5 Ballylongford and Tarbert to inform the local community 10: 07
6 about the plans for the project and to show
7 illustrations of the development on site during
8 construction and operation. The information days,
9 which had been advertised in the local newspapers, were
10 attended by 450 people over the two days. An 10: 07
11 information day display boards booklet was produced for
12 the information days. Copies of the booklet were
13 distributed directly to immediate householders in
14 advance of the information days and on the information
15 days that those who attended. 10: 08

16
17 In October '07 a public meeting arranged by the
18 steering group of the Tarbert and Ballylongford
19 Associations and chaired by Shannon Development was
20 held in Tarbert. The meeting was attended by 10: 08
21 approximately 200 people and Shannon LNG addressed all
22 questions raised.

23
24 **Employment.** The proposed development will be of
25 significant economic benefit to the North Kerry region. 10: 08
26 During the construction phase, profitable business
27 opportunities will arise for contractors. The
28 construction work force will average 350 for four years
29 with a peak of circa 650 personnel. Shannon LNG will

1 employ approximately 50 permanent staff. Additional
2 contract staff and service personnel will be engaged in
3 the terminal as needed.

4
5 Senior management in the terminal will be people with 10: 09
6 considerable experience in the LNG natural gas or
7 energy industry. Shannon LNG will recruit and train
8 staff for shift supervisor and terminal operations
9 roles. It is expected that a high proportion of staff
10 will be recruited from the North Kerry region. The 10: 09
11 arrival of approximately two LNG ships per week will
12 increase shipping activity on the estuary with
13 increased demand for the services of tugs, line
14 handling crews, pilots and Shannon Foynes Port Company
15 staff. It is anticipated that at least 50 jobs will be 10: 09
16 generated in the wider economy in service and supplier
17 companies in addition to the 50 staff directly employed
18 by Shannon LNG at the terminal.

19
20 In addition to the direct employment during the 10: 09
21 construction phase, there will be substantial offsite
22 employment and economic activity associated with the
23 supply of construction materials and services during
24 the construction phase.

25 10: 10
26 In the longer term, the terminal will become the anchor
27 development on the Shannon Development land bank,
28 potentially attracting other industries and investment
29 to the region.

1 **Response to Submissions.**

2
3 Property values and home insurance. A number of
4 submissions have expressed a concern that the proposed
5 LNG terminal would diminish property values post
6 construction and one submission has expressed concern
7 that home insurance could be negatively impacted.

10: 10

8
9 **Response:** There is no credible evidence to suggest
10 that there would be any negative impact on property
11 values as a result of this development. Neither is
12 there any credible evidence to suggest that the
13 proposed development could impact in any way on home
14 insurance in the vicinity.

10: 10

15
16 Experience in Whitegate in Co. Cork, where two Seveso
17 II registered developments, that's the ConocoPhillips
18 Oil Refinery and the Calor Liquid Petroleum Gas
19 Facility, are located does not suggest the support the
20 suggestion that there is any ongoing diminution of
21 property values as a consequence of being located near
22 a Seveso II registered facility.

10: 10

10: 11

23
24 Shannon LNG concurs with the statement in the Kerry
25 County Council Manager's report, and I quote:

10: 11

26 "Due to the extra demand for property
27 arising from the development, the
28 planning history of the site and public
29 awareness of intended uses, the
 planning authority considers
 depreciation of property in the area
 will be negligible, if any."

1
2 Submissions on consultation. A number of submissions
3 have expressed the view that there was insufficient
4 information on consultation.

10: 11

5
6 **Response:** To keep people informed of developments on
7 the project, four newsletters were published and widely
8 distributed between May 2006 and December 2007. In
9 April 2007, as mentioned, public information days held
10 in Tarbert and Ballylongford were attended by 450
11 people. Copies of the information day display boards
12 booklet were widely distributed.

10: 12

13
14 Between March 2006 and July '07 community
15 representatives visited three LNG terminals, including
16 one under construction, to promote community
17 understanding of the project. In September '07 copies
18 of the non-technical summary were widely distributed.
19 Three copies of the complete full application were made
20 available to the local community. The application was
21 available on the internet and the application was
22 available in Shannon LNG's Listowel office.

10: 12

10: 12

23
24 In October '07 a public meeting chaired by Shannon
25 Development was held in Tarbert. The meeting at which
26 Shannon LNG addressed all questions raised was attended
27 by some 200 people.

10: 12

28
29 Submissions on local employment for ongoing positions.

1 A few submissions have expressed a concern that there
2 might be few local employment opportunities for ongoing
3 positions due to role requirements.

4
5 Shannon LNG response: Shannon LNG will employ about 50 10: 13
6 permanent staff. Additional contract staff and service
7 personnel will be engaged in the terminal as needed.
8 It is anticipated that at least 50 ongoing jobs will be
9 generated in the wider economy in service and supplier
10 companies in addition to the 50 staff directly employed 10: 13
11 by Shannon LNG. This number of long-term sustainable
12 jobs is very significant in the context of North Kerry
13 and the surrounding region.

14
15 Senior management at the terminal will be people with 10: 13
16 considerable experience in the LNG, natural gas or
17 energy industry, but Shannon LNG will recruit and train
18 shift for shift supervisor and terminal operation
19 roles.

20 10: 13
21 Shannon LNG provide job specific training with a formal
22 system of certification for staff recruited.
23 Maintenance roles will require craft or equivalent
24 certification in addition to job specific training.
25 Control room positions will require second level 10: 13
26 education and job specific training. Other roles will
27 require normal administrative and accounting skills.
28 Positions will be advertised and it is expected that a
29 high proportion of staff will be from North Kerry and

1 the surrounding region in line with the experience at
2 similar facilities.

3
4 Another submission spoke of the benefits to Co. Clare.
5 A few submissions have expressed concern that Co. Clare 10: 14
6 would not benefit from the proposed investment.

7
8 Shannon LNG response: Businesses located in Co. Clare
9 will be able to bid for work on the LNG facility and
10 the County will also benefit from any ancillary, 10: 14
11 industrial or commercial development arising from the
12 proposed LNG terminal. In addition the residents of
13 Co. Clare will be able to seek employment during the
14 construction and operational phases of the proposed
15 terminal. 10: 14

16
17 In conclusion, Chairman, since the announcement in May
18 2006 Shannon LNG has engaged with the community to
19 promote a wide understanding of the nature of the
20 project. The proposed Shannon LNG Terminal will be of 10: 15
21 significant economic benefit to North Kerry and the
22 surrounding region. The construction work force will
23 average 350 for four years with a peak of circa 650.
24 There will be substantial offsite employment and
25 economic activity associated with the supply of 10: 15
26 construction materials and services during the
27 construction phase.

28
29 The development will give rise to long-term sustainable

1 jobs. Shannon LNG will directly employ approximately
2 50 permanent staff. Additional contract staff and
3 service personnel will be engaged in the terminal as
4 need. Shannon LNG will recruit and train staff for
5 terminal roles. It is expected that a high proportion
6 of staff will be recruited from the North Kerry region.

10: 15

8 The arrival of approximately two LNG ships per week
9 will increase shipping activity on the industry, with
10 increased demand for the services of tug, line handling
11 crews, pilots and Shannon Foynes Port Company staff.
12 It is anticipated that at least 50 jobs will be
13 generated in the wider economy, in service and supplier
14 companies in addition to the 50 staff directly employed
15 by Shannon LNG at the terminal.

10: 16

17 In the longer term the terminal will become the anchor
18 development on the Shannon Development land bank,
19 potentially attracting other industries and investment
20 to the region. Thank you, Mr. Chairman.

10: 16

21
22 END OF SUBMISSION OF MR. BIGGANE

23
24 **INSPECTOR:**

Thank you, Mr. Biggane.

25 I was going to ask you
26 present your next speaker unless you feel that you want
27 to take questions at this stage.

10: 16

28 **MR. O'NEILL:**

No, Sir. The next speaker
in fact is Mr. Michael

1 Russell, he overlaps slightly, he is dealing with the
2 issue in relation to values of residences and any
3 potential decrease as a result of the facility.

4 1 Q. **INSPECTOR:** Okay. Before we do that
5 I just wanted to ask 10: 16
6 Mr. Biggane one question and maybe it's going to be
7 answered by the next speaker. You referred to
8 experience in Whitegate and the two Seveso II
9 developments there, I just wanted to ask you how close
10 are the nearest houses there, do you know? 10: 17

11 A. **MR. BIGGANE:** Extremely close,
12 Mr. Chairman. We have a
13 photograph that would demonstrate that, if I may.
14 (SAME HANDED TO THE INSPECTOR) There is the actual
15 refinery, Mr. Chairman. The gas terminal is here, this 10: 17
16 is Whitegate village and there are the nearest houses.

17 **INSPECTOR:** Can you make those
18 available to people?

19 **MR. BIGGANE:** We have copies.

20 **MR. McELLI GOTT:** Mr. Inspector, it would be 10: 17
21 interesting to know the
22 exclusion zone that is around ... (INTERJECTION)

23 **INSPECTOR:** Sorry?

24 **MR. McELLI GOTT:** The exclusion zone that is
25 around the Calor Liquid 10: 17
26 petroleum gas facility, it would be interesting to know
27 what that is.

28 **INSPECTOR:** I think I will let further
29 questions after the next

1 speaker.

2 MR. McELLI GOTT: Okay.

3 MR. O' NEI LL: The next speaker is Michael
4 Russell who is principal of
5 DNG Russell Douglas Newman Good. 10: 18

6
7 MR. MICHAEL RUSSELL ADDRESSED THE ORAL HEARING AS
8 FOLLOWS
9

10 MR. RUSSELL: Good morning, Mr. Chairman. 10: 18
11 My name is Michael Russell,
12 I am an auctioneer in Whitegate, Co. Cork. I will just
13 read out a letter that I have written to Mr. Biggane.

14
15 Dear Mr. Biggane, 10: 18

16
17 I refer to your recent inquiry on property prices in
18 the Whitegate region. I have operated as an estate
19 agent in the Whitegate area and surrounding region for
20 over 25 years. I am a member of the Institute of 10: 19
21 Professional Auctioneers and Valuers and also a Member
22 of the European Confederation of Real Estate Agents.

23
24 Whitegate is home to the ConocoPhillips Oil Refinery
25 and the adjacent Calor Liquid Petroleum Gas Plant, 10: 19
26 Seveso II designated industries, in addition to the
27 nearby natural gas fired ESB Aghada Power Station.

28
29 The Aghada Power Station is about to be replaced with a

1 new state of the art fired combined cycle gas turbine,
2 an investment costing until the region of 400 million.
3 Adjacent to the oil refinery Bord Gáis Éireann have
4 announced plans to construct a natural gas fired power
5 station anticipated to be operational in 2010.

10: 19

6
7 In addition to these facilities in the village area,
8 there are also a number of parcels of land which have
9 been zoned for industrial purposes in the greater
10 Whitegate area.

10: 19

11
12 We have been involved in selling houses and other
13 property in the region and can confidently state that
14 they have been no problems in selling and the prices
15 achieved have been on a par if not ahead of any major
16 village in Cork for comparable properties. I have
17 listed examples of these in the attached appendix.

10: 20

18
19 Do you need me to read out the appendix, Mr. Chairman?

20 INSPECTOR: No, I don't think so.

10: 20

21 I think we can take that as
22 read.

23 MR. RUSSELL: Thank you.

24
25 END OF SUBMISSION OF MR. RUSSELL

10: 20

26
27 INSPECTOR: Thank you, Mr. Russell.

28 MR. O'NEILL: I don't know if you wish to
29 take questions on those

1 issues. After that we are moving to air quality and
2 climate and cumulative impacts and interactions,
3 somewhat different areas.

4 **INSPECTOR:** I think we will go for
5 questions at this stage. 10: 20

6 Ms. Griffin?

7
8 **MR. MICHAEL BIGGANE WAS CROSS-EXAMINED BY THE OBJECTORS**
9 **AS FOLLOWS**

10 10: 20
11 2 Q. **MS. GRIFFIN:** Mr. Biggane, I just have a
12 few questions about the
13 prospective jobs that will be in the Shannon LNG plant.
14 I see you mention that you went to Milford Haven to see
15 a plant under construction, I mean what I have been 10: 21
16 reading in the press Milford Haven jobs wise has been
17 an absolute nightmare. Firstly, the Contractor was
18 looking for workers in Europe and the vast majority of
19 the workers there are Portuguese who are being paid
20 below the minimum wage and to date have been on strike 10: 21
21 twice. There is no trade union membership there, there
22 has been accidents there, is that what we are likely to
23 expect? You must have an idea of how you are going to
24 recruit these construction workers?

25 A. **MR. BIGGANE:** Mr. Chairman, the process 10: 21
26 in Ireland, I can't comment
27 on the situation in Wales, but the process in Ireland
28 is quite clear. There are registered employment
29 agreements that sets rates of pay. When I worked in

1 the oil refinery we were used to having very large
2 contracts with many hundreds of people on site and we
3 had a system in place to ensure that even where there
4 were sub-contractors that those registered employment
5 agreement rates were in application.

10: 22

6 3 Q. I would just point out that Moneypoint power station
7 would be subject to the same employment regulations and
8 they have had serious problems over there with foreign
9 workers going on strike as well?

10 A. Mr. Chairman, I am aware of that, and I don't want to
11 comment on other facility, what I can tell you is that
12 in my experience in a number of major projects in the
13 oil refinery no such issues arose. I understand that
14 most of the pharmaceutical sector in Cork, where there
15 were also some very, very major projects involving many
16 hundreds of people, that no such issues arose.

10: 22

10: 22

17 4 Q. Where are you planning on coming up with 350 builders,
18 I don't know ten builders in the area that are
19 unemployed for the construction phase?

20 A. Where people will be drawn from is very much a
21 question, Mr. Chairman, of where you actually get a
22 response. We would obviously look to the immediate
23 area and that would extend outwards and ultimately it's
24 possible that you could have people have overseas. A
25 lot depends on the economy at the time and how many
26 people are available in the immediate region.

10: 23

10: 23

27 5 Q. The big selling point amongst the locals I know is the
28 fact of the local jobs in construction. I just want to
29 know, the construction jobs, is that going to be given

1 to a contractor, is it going to be subcontracted out to
2 a contractor or are you going to be recruiting
3 yourselves?

4 A. All major projects operate on a basis of where there is
5 an overall managing contractor and specific parts 10: 23
6 within it and are subcontracted to other contractors.
7 Nevertheless, we will have arrangements in place to
8 ensure that the greatest use possible is made of local
9 people where available and, secondly, that all
10 registered employment agreements and normal industrial 10: 24
11 relations practices that exist in Ireland are followed.

12 6 Q. So it will be basically up to the sub-contractor to do
13 the hiring and firing?

14 A. It will be up to the sub-contractor, Mr. Chairman, to
15 do the hiring, but then we will have oversight on that 10: 24
16 entire process of ensuring that the registered
17 employment agreements are honoured in full.

18 7 Q. Have you got any sub-contractors in mind, have you
19 spoken to any sub-contractors?

20 A. That would have been premature, I would suggest, 10: 24
21 Mr. Chairman, at this stage.

22 8 Q. On the subject of property devaluation, I would refer
23 you to a search done by Professor George Tilly in
24 the University of Chicago in relation to the
25 Burrellville Rhode Island plant where he says: 10: 25

26 "After the plant was built, property
27 placed on the open market took more
28 than a year to sell and suffered a 29%
29 loss in value directly related to the
presence of the plant. What about
Everett, Massachusetts properties?
Everett, Massachusetts has been home to

1 the District Gas LNG facility for
2 almost 30 years, so long that most
3 residents can't remember what it was
4 like without the facility. Their
5 property values have slowly increased
6 over the decades as inflation and
7 suburbanisation have reached the town,
8 but this increase has been markedly
9 slower than other towns in the area.
10 What type of businesses are in Everett,
11 Massachusetts? Blight begets blight
12 and Everett proves it. Everett is
13 dominated by heavy industry including
14 the Gas LNG plant and new nearby power
15 plant. Despite being so near to
16 Boston, an area rich with colleges,
17 universities, computer, biotech and
18 pharmaceutical industries, Everett has
19 not been able to attract any of these
20 type of businesses."

10: 25

10: 26

21 A. MR. SHEARER:

Mr. Inspector, I will

respond to both of that.

22 The plant in Burlville, Rhode Island I cannot speak to
23 the specifics of the real estate figures, but I can
24 tell you it is not an LNG terminal. Burlville is about
25 30 miles from the water and it is a natural gas fired
26 power plant so it's not comparable. As for the town of
27 Everett, Massachusetts, all I can say is Ms. Griffin is
28 right, it is an industrialised city, it hosts power
29 plants, it hosts the LNG terminal, it hosts oil
terminals, it has done for many, many years. I have
worked there for many years, I was never aware that the
city of Everett had any lower property prices than any
of the surrounding area or any lower appreciation. In
fact, one of the great attributes that the city had was
it had the lowest property taxes of any community in
metropolitan Boston and some of the best school systems

10: 26

10: 26

10: 26

1 because the tax base was dominated by very heavily
2 taxed industry that was present in the city and it
3 allowed the city to maintain the residential property
4 tax rate at the lowest level of any surrounding city.
5 The city school system won several awards for the 10: 27
6 improvements the schools made over the year, they built
7 all new schools there, there was a lot of support from
8 the industries, including the LNG facility to the local
9 community. In fact the mayor of the city of Everett
10 went on the record and testimony in the case of an LNG 10: 27
11 facility in Canada pointing out the benefits that LNG
12 brought to Everett as a benchmark for the one Canadian
13 community that had potential issues around the
14 introduction of an LNG terminal adjacent to their town.

15 9 Q. So do I take it then that the presence of an LNG 10: 28
16 terminal on the Shannon Estuary will increase house
17 prices?

18 A. Like Yogi bear, who was a famous American baseball
19 player, used to say that the hardest thing in the world
20 to do is making predictions especially when talking 10: 28
21 about the future.

22 MS. GRIFFIN: I would just mention that
23 two property sales in the
24 area have already fallen through because of the
25 proposed gas terminal. One was almost sold, but when 10: 28
26 the buyer heard about the gas terminal the sale fell
27 through and actually the person who was selling the
28 house will be here later. Secondly, a site that was
29 almost sold fell through because of the proposed LNG

1 terminal and with respect it doesn't matter what you
2 think, when you are buying a property the only person's
3 opinion that matters is the buyer's. Personally
4 I wouldn't want to buy a house next to an LNG terminal.

5 10 Q. MR. McELLI GOTT: Mr. Inspector, they are 10: 29
6 comparing with Calor liquid
7 petroleum gas facility and comparing property prices to
8 a Seveso II site in Cork, but I would ask the Shannon
9 LNG are the consequences of an accident in the Calor
10 liquid petroleum gas not infinitely smaller than the 10: 29
11 consequences of an accident at an LNG terminal?

12 A. I will make an attempt to answer that. I am not aware
13 of the specifics of the Calor terminal, but I think we
14 heard testimony earlier about LPG ships, liquid
15 petroleum gas shipping. Liquid petroleum gas is 10: 29
16 normally stored under relatively high pressures so if
17 there was any form of an accident at that facility and
18 it had pressurised LPG present it would be an explosive
19 fire ball resulting which LNG, as we have heard
20 repeatedly from the safety experts on both sides, would 10: 30
21 not happen. As Mr. McElligott would remember,
22 Mr. Inspector, I think Dr. Havens and he discussed the
23 issue of very high contamination of LPG and LNG
24 believing that to be a much more flammable and much
25 more dangerous mixture i.e. high LPG, the product they 10: 30
26 store at the Calor terminal, would be viewed by most
27 safety experts I believe as being a more dangerous
28 substance than LNG.

29 MR. McELLI GOTT: Okay. Mr. Inspector,

1 I would just like to point
2 out that Gordon Shearer agreed on Friday, I think it
3 was, that if there was going to be an explosion at the
4 LNG plant it would be the largest Roman candle in the
5 world and I would like to say that we are not comparing 10: 31
6 like with like here, we are not comparing LNG with LPG
7 so we do not know the quantities that are available are
8 being stored or the exact same product so we really
9 need to compare it to another LNG terminal. Also
10 I would like maybe the Inspector to find out what is 10: 31
11 the exclusion zone and specified consultation distance
12 around those facilities as well.
13

14 Mr. Inspector, I would also like to ask, they did these
15 presentations and my experience of anybody that is 10: 31
16 doing any construction work or any large project,
17 I remember some of the university colleges, they
18 actually used to have a model in the middle of the room
19 when they were explaining to people what they were
20 building and I think you mentioned earlier on in the 10: 32
21 week about a model and I find it very strange that we
22 do not have an actual model of the whole construction
23 because then people could visualise much more easily
24 and I think the reason there is no model is because
25 people would be more frightened. A photo is only one 10: 32
26 dimensional and as we saw with the piping that was on
27 top of the dome I said that the piping that was on top
28 of the dome would be ten metres above the top of the
29 dome which was equivalent to two bungalows, one on top

1 of the other, but when I looked again at the photos
2 that were presented after my submission a couple of
3 days ago I realised that the piping that is going to
4 come from the storage tanks in the top is actually
5 going to come from the top of the wall so it will
6 actually be 20 metres high so that piping is equivalent
7 to four bungalows with their roofs one on top of the
8 other and you cannot really visualise that in a photo,
9 it's only when you are looking very carefully and
10 I really think that those photographs were taken
11 against sunlight with clouds in the background, you
12 don't see really much blue sky. I know they have a
13 model, they have to have because no big project would
14 not have one and I am asking why did they not show one.

10: 32

10: 33

15 **MR. O'NEILL:** I can't answer that in
16 terms of it being a
17 non-technical question. There is no model available,
18 no model can be prepared, I imagine, until the precise
19 details of the construction are identified. In
20 relation to the venting pipes at the top of the tanks,
21 Mr. McElligott will have seen the photomontages which
22 clearly indicate those venting pipes and it's not as if
23 we have a bungalow on top of the tanks, it's a fairly
24 indiscreet venting pipe, three or four of them I think
25 together, but they are clearly visible from the
26 photomontages and the photomontages do not and were
27 never intended to give anything other than an accurate
28 assessment and view of what the landscape will be in
29 the event of the facility going ahead. The witness in

10: 33

10: 33

10: 34

1 question Mr. Burns identified in detail how the
2 photomontages are prepared and the assurance that those
3 photomontages are an accurate reflection of the
4 facility as built.

5 **MR. McELLI GOTT:** I would agree 10: 34
6 with... (INTERJECTION)

7 **INSPECTOR:** Just hold on,
8 Mr. McElligott. When
9 I asked for a model I expected to get a model, not
10 photographs. Are you saying that the photographs are a 10: 34
11 computer generated model, it's not an actual?

12 **MR. O' NEI LL:** That's my understanding,
13 yes, Sir. There is no
14 physical three dimensional model that can be placed on
15 the table. 10: 35

16 **INSPECTOR:** I did expect a physical
17 model to be produced but
18 that's not the case?

19 **MR. O' NEI LL:** No.

20 **MR. McELLI GOTT:** Mr. Inspector, I would also 10: 35
21 point out that the piping
22 that comes above the dome, I saw that being under
23 construction in Milford Haven and it was pretty
24 important to actually visualise that amount. Also on a
25 picture you do not know where the piping is going to be 10: 35
26 on the site, is it going to be facing the Shannon or is
27 it going to be facing the people on the coast road. If
28 it's facing the Shannon it would be less visible, as
29 you are going along the road you wouldn't see the

1 pipings so that's why it is actually important to have
2 a model. There is something that is not being shown
3 because there is no model. They are spending millions,
4 they can at least put a model up there, a two-year-old
5 would be able to get that together if he had a bit of
6 mála.

10: 35

7 **INSPECTOR:** Ms. Griffin.

8 **MS. GRIFFIN:** I refer to Michael
9 Biggane's statement page 2:

10 "My principal points of evidence will
11 cover community, information and
12 consultation."

10: 36

13 Two paragraphs above that:

14 "To keep the local community informed
15 of developments, Shannon LNG held a
16 number of meetings with the steering
17 group."

10: 36

18 Well, I would say from my experience local people, i.e.
19 people living immediately adjacent to the site, were
20 weeks trying to meet with Shannon LNG. When, I think
21 it was Tim O'Mahony, spoke to somebody there he was
22 told that they would not meet with individuals, they
23 would only meet with the steering groups and we
24 eventually did get a meeting with Messrs Biggane and
25 Lynch I think it was in Tarbert Community Centre and a
26 lot of other questions were not able to be answered
27 because we were told that they weren't experts.

10: 36

10: 36

28 **MR. BIGGANE:** Mr. Chairman, if I may.
29 From the very outset for

1 the people who were immediately adjacent to the site,
2 we called on people on a regular basis. I personally
3 distributed newsletters to the houses immediately
4 adjacent to the site and we were at all times available
5 if any additional questions that anybody wanted to 10: 37
6 raise. There has been numerous items of communication
7 with the immediate residents group when they actually
8 formed a group. I certainly recall no incidents of
9 ever having said to Tim O'Mahony that we couldn't
10 arrange a meeting with him. I have had meetings with 10: 37
11 Mr. O'Mahony in his house, in the offices in Listowel
12 and we also went to a meeting which they requested of
13 immediate neighbours, as they defined it, Eoghan Lynch
14 of Arup and myself to have a public meeting with them
15 with their exclusive group as well. 10: 38

16 11 Q. **MS. GRIFFIN:** Yes, I realise that you did
17 meet with the group
18 eventually. What I am saying is in the earlier stages
19 when people had queries we were told that you would not
20 meet with individuals, that we would have to put our 10: 38
21 concerns through Tarbert Development Ballylongford
22 Enterprise or the working group?

23 A. **MR. BIGGANE:** I am certainly not aware of
24 that, Mr. Chairman. We had
25 a joint meeting at one stage with representatives of 10: 38
26 the Kilcolgan group and the steering committee and
27 immediately the following day I had a meeting in
28 Listowel with Mr. O'Mahony and that was all in advance
29 of the wider public meeting with the Kilcolgan group.

1 12 Q. I just want to ask Mr. Biggane where was the balloon,
2 you mentioned to us that a balloon 50 metres high would
3 be going up on the site, was it last October/November
4 time, to give us an idea of how tall the tanks would
5 be? 10: 39

6 A. Can I say to you this arose in discussion between
7 Eoghan Lynch of Arup and Tim O'Mahony one day that we
8 were actually on the site, on the roadway identifying
9 specific aspects of concern to Mr. O'Mahony. It was
10 subsequently considered that because of the wild nature 10: 39
11 of the weather and so on that it wasn't feasible to
12 actually fly that balloon, but Mr. Lynch went back to
13 Mr. O'Mahony and explained that in fact you could take
14 the height observation by reference to the stacks at
15 Moneypoint and that was clearly discussed and outlined 10: 39
16 with Mr. O'Mahony.

17 13 Q. Moneypoint is probably two kilometres away, I think.
18 The other thing, the word 'consultation' to me would
19 imply a two-way conversation. Yes, it's true you did
20 call personally to houses and deliver newsletters, but 10: 39
21 we were presented with the newsletter, we weren't asked
22 for our comments on the newsletter or if there was
23 anything in the newsletter. In fact, most people
24 weren't even there to read the newsletter when you
25 called. There wasn't consultation so much as handing 10: 40
26 out the letters and 'this is what is happening'.

27 A. I believe that in respect of the immediately adjacent
28 houses.

29 14 Q. Which I am one of.

1 A. Absolutely, that there was a considerable amount of
2 consultation because the entire process with the
3 photomontages, which was gone through, involved quite a
4 number of calling to people and calling back with the
5 results and so on. In addition, there was quite a 10: 40
6 number of discussions and meetings with representatives
7 of the Kilcolgan association on various aspects.
8 Indeed it was those kind of discussions that led to the
9 decision to propose altering the entrance so as to move
10 it away from Raymond O'Mahony's house, it was those 10: 41
11 kind of discussions that led to the moving of the fence
12 so that it was obscured from view from the houses
13 immediately across the road and so on. I believe that
14 all constituted consultation.

15 15 Q. Raymond O'Mahony and Eoghan Lynch confirmed yesterday 10: 41
16 that Raymond was actually told to put in a submission
17 to An Bord Pleanála about the entrance?

18 A. Mr. Chairman, that was in terms of the formality of
19 actually altering something that had gone in on the
20 original planning permission. 10: 41

21 16 Q. **MR. McELLI GOTT:** Mr. Biggane, I am just
22 wondering why did you get
23 an estate agent from Co. Cork to give you an opinion on
24 what the local purchasers would think about a Seveso II
25 site? 10: 41

26 A. Mr. Chairman, I didn't get an estate agent from
27 Co. Cork to give me an opinion on what people would
28 think in respect of a Seveso II site in Ballylongford
29 Tarbert. I worked in the oil refinery for many years,

1 I was familiar with the situation in Whitegate, it's a
2 very small village which is very, very close to the oil
3 refinery and the Calor gas plant, both of which are
4 Seveso II sites, and I knew from my own experience that
5 property prices in the immediate Whitegate area were 10: 42
6 not in any way inferior to property prices when you
7 moved maybe 10 miles out or whatever. It was to bring
8 somebody who could attest to that fact that we engaged
9 with Mr. Russell. It was simply trying to find a
10 comparator that was realistic and credible in terms of 10: 42
11 being a Seveso 2002 site that represented a relatively
12 rural location and that was adjacent to the actual
13 plant except that in the Whitegate case the proximity
14 is very immediate.

15 17 Q. Did you get the opinion of any local estate agents on 10: 43
16 what they would consider would be the opinions of the
17 local people, did you consult with any of them just to
18 get a feeling? Like Catriona said it's what's in the
19 mind of the buyer that counts so they would have a
20 knowledge of how people would interpret that, did you 10: 43
21 consult with any local estate agents?

22 A. No, Mr. Inspector, I did not consult with any local
23 expert because I wanted to have somebody who was
24 familiar with property in the immediate vicinity of the
25 Seveso II site. 10: 43

26 INSPECTOR: Okay. Do we have any other
27 questioners?

28 MR. M. McELLI GOTT: Yes. Mr. Inspector,
29 Michael McElligott again,

1 Chamber of Commerce in Tarbert. I just want to comment
2 or make an observation on some of those comments.
3 Actually if Mr. Biggane had asked me I probably would
4 have been more qualified to speak on the property in
5 Tarbert than anybody. I own approximately €2.5 million 10: 44
6 of property within the Tarbert area and I am very
7 confident that once LNG comes to Tarbert that the
8 property prices will go up. As far as property in the
9 Kilcolgan area, if you check the Kerry County Council
10 website it is a fact, it's on the screen there, that 10: 44
11 approximately five people this year have applied for
12 planning in Kilcolgan area so if they are so concerned
13 about the LNG, I don't know why they are applying, to
14 either retain property or build new houses there.

15
16 There are sites for sale in Kilcolgan, I personally
17 have bid on some of those sites and I have been outbid
18 and houses are not falling through because of LNG. Any
19 real estate person in the North Kerry area, especially
20 the Listowel area, you can take a wide variety of them, 10: 44
21 whether it's Pearse & Fitzgibbon, Stack, Corrigan, Mary
22 Horgan, they all have property in the Tarbert area for
23 sale and sales are not falling through because of LNG,
24 it's just the market conditions in Ireland at the
25 moment, people are sitting back and waiting. Yesterday 10: 45
26 I sold a house in Ballylongford and I am delighted, but
27 that sale fell through twice before Christmas, it had
28 nothing to do with LNG coming to Tarbert. The sale
29 fell through for different reasons, people cannot get a

1 mortgage because of the credit squeeze, there is a wide
2 variety of reasons why sales fall through. However,
3 people are still buying property, they are still
4 looking for property in Tarbert and I don't see the LNG
5 terminal being anything but a benefit to the property
6 market in Tarbert. 10: 45

7
8 As far as property in Boston and New York, I spent
9 30 years in New York. Yesterday I spoke to Brown
10 Harris Stevens and I have been involved in property in 10: 45
11 New York and the market is just as bad there. A lady
12 Gina O'Neill from Brown Harris Stevens told me that she
13 has a building of apartments in Brooklyn, none of them
14 have sold in the last six months. That's not because
15 of LNG, that is the market conditions throughout the 10: 46
16 world. I expect the property in Tarbert to increase
17 and I have planning permission in Tarbert for 23
18 houses. I hope to begin work in the middle of this
19 year and I am confident with that DNG Stack and Pearse
20 & Fitzgibbon from Listowel that we will make sales. 10: 46
21 I am looking forward to LNG coming.

22
23 I also want to comment on the construction and I have
24 been in the construction business for 30 years. I have
25 managed jobs in America, in New York and Connecticut 10: 46
26 mostly, anything between 5 million and 20 million jobs.
27 Construction is a business and I don't see LNG just
28 hiring a local block layer to come in, they are going
29 to high a sub-contractor the same as any business would

1 do. I am building houses at the moment in Glin,
2 Listowel, Mi veagh and Ballylongford and I won't just go
3 out and hire somebody, you put the job out for bid, you
4 here the best people at the best prices for quality
5 work. You don't always get that in the immediate area. 10: 47
6 I have contractors in Listowel at the moment from
7 Tralee and from Killorglin. We will buy materials
8 anywhere from Dublin to Offaly to Limerick so it's a
9 business, we are running a business and I would expect
10 Michael Biggane from LNG to hire contractors such as 10: 47
11 people do in the tunnel, he needs big contractors who
12 will sub out the work and that's the business that we
13 are in. There are jobs available I am sure for people
14 in Tarbert and the surrounding areas of Myveagh,
15 Knocknagashal, Ballybunion, Liselton, Foynes, Glin, 10: 47
16 there will be jobs available and I am sure that most of
17 those people will be hired. There is a tremendous
18 amount of people working in Aughinish from Tarbert,
19 there is people working on Tarbert Island and they
20 cross the ferry to Moneypoint so let's not put out the 10: 47
21 perception that LNG are going to come to North Kerry
22 and there won't be jobs available for the people of
23 North Kerry. I would assume that their goal is to hire
24 as many people from the North Kerry and West Limerick
25 area and they will be telling their sub-contractors to 10: 48
26 do the same thing. However, people will be hired for
27 certain jobs that are qualified for certain jobs. If
28 I am a carpenter I am certainly not going to get a job
29 as a block layer so I mean we have to be realistic

1 about things. Thank you.

2 **INSPECTOR:** Thank you, Mr. McElligott.

3 Before I let you back in

4 I would just like to have questions or submissions from

5 other people. Okay, no further submissions. 10: 48

6 Ms. Griffin.

7 **MS. GRIFFIN:** I just want to thank

8 Michael McElligott for

9 clarifying my point that I was trying to make earlier

10 that it will be a large outside contractor that will 10: 48

11 get the contract supplying the construction workers.

12 Secondly, Mr. Michael McElligott told us the other day

13 that there was no jobs in Tarbert, we needed jobs in

14 Tarbert, if you were to lay down in Tarbert in the

15 middle of the street at night a car wouldn't roll over 10: 49

16 you and now he is saying that he is going building

17 houses in Tarbert and that there is plenty of jobs in

18 Tarbert in the local area, I just want him to clarify

19 exactly which side he is coming from.

20 **MR. M. McELLI GOTT:** Mr. Inspector, some of 10: 49

21 those questions are just

22 ridiculous.

23 **MS. GRIFFIN:** I think your questions are

24 ridiculous.

25 **MR. M. McELLI GOTT:** When I say that we need 10: 49

26 jobs in Tarbert, we need

27 industry in Tarbert. It's good for the economy and

28 I am here representing the business community of

29 Tarbert. The business community in Tarbert are dying

1 at the moment, they are barely scraping by. The car
2 ferry cars don't stop in Tarbert, they pass right
3 through. We need warm-blooded bodies in Tarbert and
4 680 workers coming to Tarbert will shop there. That
5 means there is money to go around the economy, people 10: 49
6 will paint, people build extensions on their house,
7 that's what makes the world go around. We need people
8 to spend money in Tarbert. We need jobs in Tarbert,
9 the LNG will bring jobs. I know at the end of the day
10 there is only going to be 64 jobs, but look what will 10: 50
11 be there in the meantime and what will happen after
12 that, more industry might come in. Asking ridiculous
13 questions is just not what this meeting should be
14 about. We need jobs in North Kerry, we need jobs in
15 Tarbert. Whether that is a factory opening up in 10: 50
16 Listowel or in Myvan or in Tarbert we need industry in
17 North Kerry. That was my point the other day and
18 I stand by it. Tarbert is a very quiet village, if we
19 don't get people moving into Tarbert I personally
20 believe that Tarbert will eventually die away. More 10: 50
21 shops close, we will lose people so we need industry in
22 North Kerry and that was my point.

23 **INSPECTOR:** Thank you, Mr. McElligott.
24 The other McElligott.

25 **MR. McELLI GOTT:** Johnny McElligott, no 10: 50
26 relation. Mr. Inspector,
27 I just want to point, I understand where Michael
28 McElligott is coming from, he is coming from a jobs
29 perspective, but as we have tried to point out

1 throughout this whole hearing we must take a holistic
2 view of all the issues that are involved in this
3 development and we need sustainable development. Now,
4 somebody who is going to come in and spend a lot of
5 money, there will be a lot of short-term gain for 10: 51
6 certain people that have a lot of developments and
7 houses for rental and for sale etc. that's very well
8 and all well and good for them, but overall we have to
9 see what we are going to be left with afterwards. From
10 what I can read on my brief reading of all the planning 10: 51
11 guidelines, you must have integrated development and
12 something that is going to take an overall view of what
13 is best for the region. One thing I would like to come
14 back to Mr. Biggane for instance was that about over a
15 year ago Morgan Heaphy asked the question and it was 10: 51
16 noted in the EIS about exclusion zones and this was
17 even noted in the EIS, I think it was from the meeting
18 in Ballylongford, that was the question, 'exclusion
19 zones, what will they be' and that was never answered
20 until about three months ago. This is what really 10: 52
21 consultation boils down to. I would like to ask
22 Mr. Biggane -- I mean I did a word search on the EIS in
23 the computer so I just put in 'exclusion zones' and you
24 can find the word 'exclusion' on the question that was
25 raised by Morgan Heaphy and it's nowhere else in the 10: 52
26 whole EIS of 800 pages. Real consultation means you
27 have to answer the real questions that are being asked
28 and why did you not answer that question until he was
29 put under pressure and we were put under pressure to

1 actually create the Kilcolgan Residents Association to
2 ask those questions.

3 **MR. O'NEILL:** I can answer that, Sir.

4 There is no reference to
5 exclusion zones because exclusion zone is a misnomer 10: 52
6 and has been pointed out time and time again. There
7 are land use zonings on land and there are safety
8 zones, navigable zones on the estuary itself.
9 Exclusion zones do not arise.

10 **MR. McELLIOTT:** No, it was the question 10: 53
11 exclusion zone, deal with
12 the question Morgan Heaphy which asked and that
13 question was never answered. Sometimes when people ask
14 the serious questions, you didn't answer the serious
15 questions, you didn't even give that answer, that 10: 53
16 answer you gave there now, there was nothing answered,
17 it was just ignored and then each month they put out
18 their other little leaflet saying 'oh, all is
19 hunky-dory in the world', but that was what the real
20 problem with the consultation was and that is a very 10: 53
21 important example. As we have said the largest Roman
22 candle in the world, if it blows up, this is so
23 important. We had started hearing about these problems
24 about how safe it is to live near these LNG terminals
25 and that question was never answered and that's why we 10: 53
26 were saying there was a complete deficit in the
27 communication process with the local community. I can
28 find it in the EIS if you give me two minutes the
29 question that was asked, it is noted in the EIS anyway

1 the questions and that was never answered.

2 **MR. O'NEILL:** I understood

3 Mr. McElligott's complaint

4 was that the question raised by Mr. Heaphy was not

5 answered until three months ago so, therefore, it was 10: 54

6 answered. The simple answer, as Mr. McElligott has

7 been told time and time again by various witnesses to

8 whom he has put these questions, there are no exclusion

9 zones full stop.

10 **MR. McELLI GOTT:** Yes, but that question was 10: 54

11 only answered at the

12 planni ng . . . (INTERJECTION)

13 **MR. O'NEILL:** Three months ago,

14 Mr. McElligott.

15 **MR. McELLI GOTT:** Two months ago, it was in 10: 54

16 the Prime Time programme

17 actually, that's the first time you dealt with it so

18 that was 15 November actually. That was the only time

19 it was dealt with when a programme came down from

20 Dublin, the Prime Time programme and asked that 10: 54

21 question. Up to then that programme also proved that

22 you lied in May 2006 on your brochure, you said that if

23 there was a leak it could evaporate rapidly into the

24 sky and there would be no problem. Even the

25 10-year-old Chloe griffin could pick up on that. Even 10: 55

26 those lies weren't answered until you were put under

27 pressure by the Prime Time programme. Now, we are

28 supposed to have timely access to environmental

29 information and this is one of the principal reasons we

1 have is that the whole marketing campaign you did was a
2 really sleek marketing campaign, pretending you are
3 talking to people and consulting with them and
4 answering their real genuine question when in actual
5 fact you got it into the fast track planning process 10: 55
6 and then only under pressure did you start answering
7 some of the questions but it was almost too late, that
8 is the point.

9 MR. O'NEILL: I think we have dealt with
10 that issue, Sir, I am not 10: 55
11 going to get involved in this. Clearly any assertion
12 that there is some dishonesty on the part of the
13 Applicant is entirely refuted and entirely unjustified
14 as Mr. McElligott well knows.

15 MR. McELLI GOTT: A 'myth' I think the Prime 10: 56
16 Time programme called it.

17 MR. O'NEILL: That was part of the Prime
18 Time programme we did not
19 see because Mr. McElligott edited the programme and
20 didn't tell us. 10: 56

21 MR. McELLI GOTT: Actually you did see that
22 part of the programme
23 because I kept all the expert opinion on both sides in
24 the programme, both the senior barrister, the Senior
25 Counsel and ... (INTERJECTION) 10: 56

26 INSPECTOR: Okay, Mr. McElligott,
27 I think we have got the
28 point. Ms. Griffin do you have something else to say?

29 18 Q. MS. GRIFFIN: I just want to refer to

Mr. Biggane's statement

page 4 paragraph 2:

"Shannon LNG will employ approximately
50 permanent staff."

10: 56

Michael, is that on the assumption of four tanks in
operation or two tanks or one tank?

A. **MR. BIGGANE:** Mr. Inspector, all the
numbers that we have quoted
are based on the assumption of two tanks in operation. 10: 56
It would be marginally more if there was four tanks.

19 Q. **MS. GRIFFIN:** Secondly, your first
paragraph:

"The construction work force will
average 350 for four years with a peak
of circa 650."

10: 57

I just want to get a precise figure, is that the
correct figures because I have heard figures bandied
around on the press and locally of between 500 and 750
so 650 is the average, is it?

10: 57

A. 650, Mr. Chairman, is the peak, the average is
approximately 350.

MS. GRIFFIN: Thank you.

INSPECTOR: Mr. McElligott.

MR. M. McELLI GOTT: Mr. Inspector, one last 10: 57
point. I want to comment
on the short and long-term benefits of LNG coming to
Tarbert and I am going to use Tarbert power station as
an example. There was a boom in Tarbert during the

1 construction of the power station, but afterwards there
2 was permanent jobs. Those people settled in Tarbert,
3 John Fox is here, he is one of those people. They got
4 involved in the community, they volunteered their time
5 and they built up the community, whether it was getting 10: 58
6 involved in the church, in Tarbert Development, in the
7 GAA, none of those community groups would be as active
8 without the people that emigrated into Tarbert that are
9 now permanently employed in the ESB. The ESB helps
10 those people raise families, pay their mortgages and 10: 58
11 live a decent life in the village of Tarbert and
12 without that Tarbert would be desolate at the moment so
13 there is a long-term benefit to LNG. If it only has 60
14 jobs that is 60 more families that will be living to
15 our community, going to our school, paying taxes, 10: 58
16 getting involved in community groups and we really need
17 that. Thank you.

18 **INSPECTOR:** Thank you. I think I have
19 heard enough on this topic
20 unless there are any other people who wish to make a 10: 58
21 comment. This gentleman here.

22 **MR. DONAL O'CONNOR:** I have lived in North Kerry
23 all my life, I grew up in
24 Ballylongford and I worked in Tarbert, I have a farm in
25 Tarbert. Now, Tarbert way back the years, it had good 10: 59
26 times when the British were there and when you had
27 input from the British establishment, but when it came
28 to the time when Tarbert had to survive as a rural
29 village depending on the local farmers it was seriously

1 disadvantaged because it had only a hinterland at one
2 stage. Ballylongford, on the other hand, had a
3 hinterland running for miles in all directions and,
4 therefore, it was always doing pretty well. When the
5 change came in agriculture, when the creameries were 10: 59
6 done away with Ballylongford sank down into the same
7 level as Tarbert had been at in the 50s. The power
8 station, when it came to Tarbert, both the building of
9 it as Mr. McElligott has said and the staffing of it
10 afterwards, was a great fillip to the local economy. 11: 00
11 As technology advanced the numbers employed in that
12 station have decreased and I should know because I live
13 within 30 yards of the power station. I live on
14 Tarbert Island. I was one of those, my father, god
15 rest his soul, was one of those that was moved out of 11: 00
16 Tarbert back in the 1970s to make away for what was
17 then to be an oil refinery, the oil was to come from
18 Nigeria. Now, I bought land below in Aughinish and
19 within a short number of year the Aughinish alumina
20 smelter started up alongside me. Fortunately I was so 11: 00
21 near the plant that some of the problems that other
22 farmers had passed out over my head and hit the farmers
23 on higher ground, but notwithstanding that Aughinish
24 got their act together and both those farmers and
25 myself, we have farmed there for the past 20 years and 11: 01
26 we have had no trouble whatsoever from any fallout or
27 any disturbance that I could ever attribute to being
28 called by Aughinish alumina.
29 Now, we come to Tarbert power station, I am within

1 approximately 30 yards of the chimney stacks and except
2 on one occasion when smut fell down that on clothes
3 that I saw on the clothesline I have never had any
4 problem with that power station. The area badly needs
5 jobs, it has been mentioned there that there might be a 11: 01
6 risk on the river to shipping and the like going up and
7 down and it might be congested. In 1911 when the first
8 world war was expected to break out the British
9 Atlantic fleet came into the Shannon Estuary and old
10 man that was below there, Eugene Houlihan told me, as 11: 01
11 he came from the bog one evening, the first British
12 ship dropped anchor off Ardmore Point and they passed
13 each other up and from there to Tarbert Island the
14 whole fleet anchored and they remained in the estuary
15 for six months. Now surely if in those days, when 11: 02
16 navigation would not be so good and the instruments
17 that are there today were not there at that time, and
18 if it was safe to anchor the British fleet in the
19 Shannon Estuary there is surely room for a couple more
20 ships that will be bringing in gas to the LNG plant in 11: 02
21 Kilcolgan. As I look at it unless something comes to
22 North Kerry, I heard Kathy Sinnott, I think she
23 mentioned that the development should be around Shannon
24 Airport and I suppose those in Dublin would figure that
25 all the development should be above around Dublin and 11: 02
26 with that kind of thinking the peripheral areas along
27 the west coast of Ireland are going to get bled and
28 this is a chance, I think, to get something in that
29 will supply energy and if energy comes maybe the

1 threatened closure of Tarbert power station could be
2 averted and possibly a gas station will be put up.

3
4 That leads me on to another thing and that is the wind
5 turbines which seem to be the most sensible thing for 11:03
6 Ireland to be generating alternative electricity from.
7 I know they are talking about wave energy, off the west
8 coast of Ireland it might not be possible to devise a
9 machine that could handle the different types of seas
10 that are beating off the west coast, but with a gas 11:03
11 power station that could be turned up and down very
12 quickly and they can supplement the power that will be
13 supplied for the turbines when that would fall off due
14 to calm weather.

15 11:03
16 I don't think I have any more to say on the matter,
17 that's just my reading of it, but I think there is a
18 golden opportunity for something that come that might
19 give a bit of a fillip to work to North Kerry and West
20 Limerick. That's all I have to say, thank you. 11:04

21 INSPECTOR: Thank you for that. Could
22 I just have your name
23 please

24 MR. O'CONNOR: Donal O'Connor.

25 INSPECTOR: Thank you. Now, I think we 11:04
26 should move on to the next
27 section.

28
29 END OF CROSS-EXAMINATION OF MR. BIGGANE

1
2 MR. O'NEILL: The next speaker is Ria
3 Lyden who is going to speak
4 to air quality and climate.
5

11:04

6 MS. LYDEN ADDRESSED THE ORAL HEARING AS FOLLOWS
7

8 MR. LYDEN: Mr. Inspector, my name is
9 Ria Lyden. I don't propose
10 to read the rest of my qualifications as they were read 11:04
11 a week ago.
12

13 In my paper I will go straight to section 2 project
14 involvement. My role was to supervise the preparation
15 of the EIS. The purpose of my evidence is to 11:04
16 distribute the methodology and findings of the
17 assessment of the impact of the Shannon LNG project on
18 air quality and climate. The assessment was undertaken
19 by Ms. Sinéad White of Arup Consulting Engineers, an
20 air quality and climate specialist, who is on maternity 11:05
21 leave and not available to give evidence at this
22 hearing.
23

24 The air quality impact assessment is described in
25 chapter 8 of volume 2 of the EIS. I don't propose to 11:05
26 read all of my paper, I will just highlight key parts
27 of it and take the rest as read in accordance with your
28 instructions.
29

1 The methodology of the air quality impact assessment
2 was as follows:

3 * Screening was undertaken to identify the substances
4 to be emitted from the development which had the
5 potential to have a significant impact on air quality, 11: 05
6 the sensitive receptors and the other significant
7 sources of emissions in the area.

8 * The appropriate air quality standards for these
9 emissions were identified.

10 * A baseline survey of the existing ambient air quality 11: 06
11 receiving environment was undertaken.

12 * The Design Team quantified the emissions to air from
13 the terminal for both the construction stage and the
14 operation stage.

15 * The emissions from the development were modelled 11: 06
16 using the appropriate computer modelling software for
17 the both the point sources and the traffic emissions.

18 * Cumulative emissions of the terminal and nearby
19 significant sources of emissions were modelled using
20 emission dispersion models. 11: 06

21 * The resultant ground level concentrations of the
22 emitted substances calculated by the model were
23 compared with the relevant air quality standards to
24 determine the significance of the emissions and
25 mitigations were proposed where necessary. 11: 06

26
27 **Screening.** Screening determined the emissions from the
28 development which would be of relevance to air quality
29 in the vicinity of this site, were the process and road

1 and traffic emissions of total oxides of nitrogen, NOX,
2 particulate matter, PM₁₀, dust with a particle size less
3 than 10 microns and PM 2.5, dust with a particle size
4 less than 2.5 microns, carbon monoxide and volatile
5 organic compounds known as VOCs. The potential impact 11:07
6 of construction dust is also considered. The sensitive
7 receptors with respect to air quality were human beings
8 in the vicinity of the proposed terminal and flora,
9 particularly in the designated habitats adjacent to the
10 site. Significant adjacent facilities for the 11:07
11 cumulative assessment were the Tarbert and Moneypoint
12 Power Stations.

13
14 Now, moving on to page 6, the top of the page, 3.4.
15 Baseline air quality monitoring methodology. A survey 11:07
16 of baseline ambient air quality at the proposed site
17 was carried out by Bord Na Móna Technical Services
18 during the period 16 February 2007 to 16 March 2007 and
19 is described in sections 8.2.3 of volume 2 of the EIS.
20 Concentrations of NO₂, SO₂, PM₁₀ and VOCs were recorded. 11:08
21

22 Moving down to the bottom of that page, section 3.5.1,
23 Road traffic modelling methodology.

24
25 The impact of road traffic on ambient air quality was 11:08
26 assessed using methodology outlined by the UK Highways
27 Agency in the DMRB, Design Manual for Roads and
28 Bridges. This is described in section 8.2.4 of volume
29 2 of the EIS.

1
2 Then moving on to point sources, 3.5.2. Point source
3 emissions air dispersion model methodology. The USEPS
4 approved Breeze AERMOD computer package was used to
5 predict the effect of point source emissions from the 11:09
6 proposed LNG terminal on ambient air quality.

7
8 Then going down to 3.5.2.1 -- I should have said on
9 page 8 -- emission data. Emission data for on-site
10 sources input into the air dispersion model is 11:09
11 presented in table 3 of the paper. A maximum of 10
12 emission sources at any given time are proposed for the
13 site and they are listed in my paper and in the EIS.

14
15 Moving on then to the following page, page 9, 3.5.2.2, 11:09
16 meteorological data. Five years of meteorological data
17 (1998 to 2002) from Met Éireann's station at Shannon
18 Airport was used in the modelling.

19
20 Then moving on to page 13, 3.6, description of the 11:10
21 receiving environment. The receiving environment is
22 described in section 8.3 of volume 2 of the EIS and
23 I don't propose to repeat it here because it has been
24 gone into in quite some detail by yesterday's experts.

25 11:10
26 Then 3.6.1, baseline air quality assessment.
27 Concentrations of NO₂, SO₂, PM₁₀ and VOCs recorded
28 during the baseline air quality assessment are
29 presented in table 5 of my paper and table 6 and that

1 is replicated from the EIS so I don't propose to read
2 it.

3
4 Other than to say that on page 14, the sentence just
5 above table 5, in general the results of the ambient 11: 11
6 air quality monitoring show that the area currently
7 experiences good air quality typical of a rural
8 environment.

9
10 Then moving on to page 15, EPA background air quality 11: 11
11 monitoring. The Environmental Protection Agency, the
12 EPA, "Air Quality in Ireland 2005", published in 2006,
13 describes the air quality zoning adopted in Ireland
14 under the Air Quality Framework Directive as follows.
15 Zone A: Dublin conurbation; Zone B, Cork conurbation; 11: 11
16 Zone C, 16 cities and towns with populations greater
17 than 15,000; and Zone D, rural Ireland, areas not in
18 zones A, B and C.

19
20 The proposed development site falls under Zone D. 11: 12
21 Background levels from 2006 air quality monitoring of
22 NO₂, NO_x, CO and PM₁₀ provided by the EPA are presented
23 in table 7. Then just moving down to the second
24 paragraph from the bottom of that page.

25 11: 12
26 EPA background levels are used for the purpose of this
27 assessment as they represent continuous monitoring over
28 a one year period and are a worst case scenario as they
29 are higher than the levels recorded on site for the

1 baseline survey. This leads to a conservative
2 assessment. Toluene, ethylbenzene are excluded from
3 the assessment owing to the low levels detected
4 relative to the Danish C-Values. Emissions of these
5 VOCs will be insignificant from on-site sources as it 11: 12
6 is proposed to fuel all heaters with natural gas and
7 the emergency generator and fire pump with ultra low
8 sulphur diesel.

9
10 So I now move to page 18, 3.7, predicted air quality 11: 13
11 impact of the proposed development. The predicted air
12 quality impacts are described in section 8.5 of volume
13 2 of the EIS. Then construction phase.

14
15 Construction traffic. Table 9 gives the predicted, 11: 13
16 concentrations which include background concentrations,
17 for the do-minimum and do-something. Do-minimum is
18 without the development and do-something is with the
19 development scenarios for the construction year 2010.
20 As we explained above the predictions are based on 11: 13
21 conservative assumptions. The results show that all
22 air quality standards are complied with.

23
24 Then 3.7.2, operational phase, operational traffic,
25 page 21, the last sentence on page 21. This relates to 11: 14
26 the modelling of operational phase traffic. The
27 increase in concentrations of all pollutants as a
28 result of the operational phase of the proposed
29 development are less than 1% of the relevant air

1 quality standard and that relates to traffic.

2
3 Now, moving on to page 23, on site and adjacent source
4 emissions. The results of the modelling of emissions
5 from the terminal, including ship emissions, and 11: 14
6 adjacent sources, excluding background concentrations,
7 are shown in table 11 and in section 8.5.2.2 of volume
8 2 of the EIS. The results for all parameters complied
9 with air quality standard.

10 11: 15
11 I should point out there was an error in -- I am in the
12 middle of the second paragraph under 3.7.2.2, the
13 sentence "the maximum predicted annual concentration of
14 NO_x was predicted to be 19.2 micrograms per cubic
15 metre. That complies with the air quality standard of 11: 15
16 30 micrograms for cubic metre for the protection of
17 vegetation. This represent 64% of the air quality
18 standard. There is a typing error in table 8.11 of the
19 EIS which gives the percentage as 30% instead of 64%.

20 11: 15
21 I now move on to page 26, section 3.7.3, cumulative
22 impact.

23
24 Cumulative impact is addressed in section 8.5.3 of
25 volume 2 of the EIS. Once the proposed development is 11: 16
26 operational NO₂, NO_x, CO and PM₁₀ emitted concurrently
27 from road traffic, site sources, berthed ships and the
28 adjacent Moneypoint and Tarbert Power Stations.
29 Construction activities will have ceased prior to the

1 commencement of operations at the site. The
2 contribution from each activity is outlined in table
3 13. It should be noted that the assessment includes
4 worst case emissions in all cases and worst case
5 background concentrations. In particular Tarbert and 11: 16
6 Moneypoint do not operate at 100% output except for
7 relatively short periods.

8
9 Then I just go to page 27, table 13, and I am drawing
10 attention to the bottom line of the table which shows 11: 17
11 the cumulative emissions as a percentage of the air
12 quality standard. We can see that even in the
13 cumulative assessment all parameters are less than the
14 relevant air quality standard. I should draw your
15 attention to the graphic on the last page of my paper, 11: 17
16 which is paper 49, where the results of the modelling
17 are shown graphically and these represent the
18 percentage that the ground level concentration will be
19 of the relevant air quality standard for the different
20 parameters. 11: 18

21
22 Then back to page 29, just the top of the page, air
23 quality mitigation measures. The air quality
24 mitigation measures are described in section 8.6 of
25 volume 2 of the EIS and I don't propose to repeat that. 11: 18
26 So I go to page 30 and the bottom of the page.

27
28 3.8.2.2, Process Emissions. Process emissions to air
29 will comply with BAT, which means Best Available

1 Techniques. As a results of the air dispersion
2 modelling show full compliance with air quality
3 standards. No further mitigation measures are
4 required. Note that the heaters are only expected to
5 run during winter and will run at full throughput for 11: 19
6 only part of the winter while the assessment has
7 assumed they will run 365 days of the year at full
8 output. 3.9, air quality residual impacts. The
9 residual impact of the proposed development on air
10 quality will not be significant and all air quality 11: 19
11 standards will be met.

12
13 Now, I turn to page 31, Climate. Introduction: The
14 impact of the proposed development on climate was
15 considered for both macroclimate and microclimate in 11: 19
16 section 8.8 of volume 2 of the EIS. The climate of a
17 large geographic area global is defined as
18 macroclimate. The climate in the immediate local area
19 of a development is known as the microclimate.

20 11: 19
21 Methodology for assessment. The methodology used in
22 the macroclimate assessment was as follows:
23 * Providing an overview of UN, EU and Irish policies in
24 relation to climate change and reduction of greenhouse
25 gases and note mechanisms in place to control 11: 20
26 greenhouse gases at the national level.

27 * Quantify the greenhouse gas emissions as CO₂ from the
28 LNG terminal during operation and assess the emissions
29 relative to Ireland's allocation under the Kyoto

1 protocol. I think there is a typo there.

2
3 The methodology used in the microclimate assessment was
4 as follows: Describe the existing microclimate
5 conditions; identify the issues which might affect 11: 20
6 microclimate; and assess the significance in the
7 context of the site.

8
9 I now move to page 36, top of the page, section 4.5.

10 Predicted climatic impacts of development. 11: 21

11 Microclimate: Construction vehicles and generators for
12 example will give rise to CO₂ emissions. Due to the
13 scale of the proposed development, however, and the
14 short duration of the construction phases relative to
15 the expected 50 year duration of the terminal 11: 21
16 operations the quantities will not be significant in
17 terms of Ireland's commitment under the Kyoto protocol.

18 The operation of the LNG terminal will not cause a
19 significant increase in traffic referred to in chapter
20 6 of the EIS; therefore, traffic generated greenhouse 11: 21
21 gas emissions as a result of the proposed development
22 will not be significant. CO₂ is emitted as a result of
23 the combustion of fuels. VOC emissions from the gas
24 heaters will be mostly methane. It is conservatively
25 assumed in this assessment that VOC emissions are 100% 11: 22
26 methane. Table 15 below outlines the CO₂ predicted to
27 be generated by on-site heaters with 100% firing rate
28 and that's a table of CO₂ emissions generated by
29 on-site sources.

1
2 The total third line in the table: CO₂ emissions are
3 expected to be 0.0473 million tonnes per year and
4 Ireland's total allocation is 63.032 million tonnes per
5 year. The calculated CO₂ emissions is based on the 11: 22
6 following. CO₂ emissions at 5,341 kg/hr based on 100%
7 firing (actual expected maximum duration of firing is
8 less than 50% of the time). Methane emissions of 1.8
9 kg/hr based on 100% firing.

10 11: 23
11 Based on this conservative calculation the emissions
12 from the on-site sources will be equivalent to 0.07% of
13 Ireland's total yearly contribution under the Kyoto
14 protocol. The proposed development will be part of the
15 EU carbon emissions trading scheme and as such will 11: 23
16 associate within the overall cap of carbon emissions
17 from Ireland. Therefore, the proposed development will
18 not contribute additional CO₂ emissions to the global
19 carbon budget.

20 11: 23
21 I just pop to page 38, middle of the page, the sentence
22 above section 4.5.2. It can be concluded that there
23 will be no significant negative impact under Ireland's
24 commitment under the Kyoto protocol as a result of the
25 proposed scheme. 11: 24

26
27 Climate residual impact, page 39, that is section 4.7.
28 There will be no residual significant impact on climate
29 as a result of the proposed development.

Now, section 5, response to submissions to An Bord Pleanála.

Submission L002, L013, L015, L043: Concerns were expressed over pollution, dust and dirt during the construction phase.

11: 24

Response: The construction mitigation measures as described in section 8.6 of volume 2 of the EIS and in section 3.8 above will ensure that there will not be nuisance, dirt, dust or air pollution during the construction phase.

11: 24

Submission L009: Concerns were expressed over the levels of pollution and assurances sought that the level of emissions will be minimised.

11: 25

Response: The emissions to air have been quantified in the air quality and climate assessment in chapter 8 of volume 2 of the EIS. The assessment concluded that the emissions to air will not result in a significant impact on the environment.

11: 25

Submission L045: The submission states that the information on the climate impacts of the proposed development are inadequate. The climate assessment methodology is not given and no breakdown is given of the tonnages of greenhouse gas emissions throughout all

11: 25

1 stages. Extraction of natural gas from Qatar or
2 another source; ship transfer to the LNG terminal;
3 construction of the jetty and storage facility;
4 operation of the facility and emissions from
5 processing.

11: 26

6
7 **Response:** The methodology for the climate change
8 assessment was described in the second paragraph of
9 section 8.8 of volume 2 of the EIS. The emissions
10 directly associated with the operation of the project
11 were quantified and their significance determined by
12 comparison with Ireland's allocation under the Kyoto
13 protocol.

11: 26

14
15 However, once gives extraction from a well, processing
16 of that gas, liquefaction and shipping or transport
17 long distances by pipeline is considered the comparison
18 with Ireland's allocation under the Kyoto protocol
19 becomes less relevant.

11: 26

20
21 It is expected that the natural gas derived from LNG
22 will be used instead of natural gas transported by
23 pipeline or to replace other fossil fuels such as coal
24 or oil so in looking at the overall CO₂ emissions to
25 give a context I have compared the life cycle CO₂
26 emissions of pipeline gas with LNG for electricity
27 generation. We stress that these figures are
28 estimates.

11: 26

11: 26

1 So we have a table here where we have figures for
2 production of one billion cubic feet per day of
3 pipeline gas and its combustion in a power station. We
4 have a figure for production from the well, the
5 processing, the transmission by pipeline or 11: 27
6 liquefaction and that's transmission by pipeline to get
7 to the Moffat terminals off the Brighthouse bay terminal
8 off the interconnectors and then the CO₂ emissions in
9 the interconnector itself and compare that with
10 liquefaction, tanker transport and regasification and 11: 27
11 that's totalled and then distribution, combustion etc.

12
13 The difference between pipeline gas and LNG, LNG
14 contributes plus 6.1% of the total. From these
15 estimates CO₂ emissions from LNG are approximately 6% 11: 28
16 greater than from pipeline gas for power generation
17 from source to use. This difference is minimal. The
18 construction emissions for the terminal were not
19 quantified as they are not expected to be significant
20 in the context of the lifetime emissions of the 11: 28
21 project.

22
23 Submission L050: This submission states that the
24 climate change assessment failed to quantify the
25 greenhouse gas emissions generated by all stages of the 11: 28
26 project.

27 **Response:** See response to submission L 045.

28
29 Submission L054: Concerns were expressed that the

1 terminal would open up the possibility of almost
2 limitless supply of natural gas to Ireland. The
3 natural gas would be a permanent source of global
4 warming gases which would go against the spirit of the
5 Kyoto protocol. The project would increase the 11: 29
6 dependency on fossil fuels and delay the move to
7 renewable energy sources. This would be against the
8 spirit of the Climate Protection Bill. Greenpeace
9 found that the use of natural gas that has been
10 liquefied and transferred across the Pacific reduces 11: 29
11 the differences between CO₂ emissions from a natural
12 gas powerplant and a coal fire power plant by almost
13 half.

14
15 **Response:** The Kyoto protocol caps Ireland's CO₂ 11: 29
16 emissions regardless of the fuel used. Mr. Paddy Power
17 has addressed the requirement for back-up for wind
18 power generation and the fact that natural gas is the
19 fuel of choice for this. As Greenpeace indicates CO₂
20 emissions from LNG fired power generation are less than 11: 29
21 those from coal-fired power generation.

22
23 Submission L056, Kerry County Council. The Council
24 propose the following condition in relation to dust on
25 page 34 of Kerry County Council's submission: 11: 30

26 "Dust levels shall not exceed 350
27 milligrams per square metre (TA Luft
28 Air Quality Standard) per day averaged
29 over 30 days when measured at the LNG
terminal site boundary."

1 The dust mitigation measures proposed in section
2 8.6.1.2 of volume 2 of the EIS will ensure that dust
3 levels will not exceed this level. In its submission
4 in section 5.3 page 23 the Council states:

5 "Chapter 8 of the EIS contains the
6 results of extensive air quality
7 testing and emission modelling. These
8 studies indicate that the utilisation
9 of 'Best Available Technology' with
regard to air quality will ensure that
all emissions to air will be recognised
national and international standards."

11: 30

10
11 In relation to climate the analysis indicates that
12 there will be no residual impact on climate as a result
13 of the development. Kerry County Council is satisfied
14 that the proposed development would not have adverse
15 impacts on air quality or climate.

11: 31

11: 30

16
17 **Response:** I agree with this submission.

18
19 **Conclusions:** The emissions to the air from the Shannon
20 LNG terminal during the construction phase and when in
21 operation have been quantified. The resulting ground
22 level concentrations predicted by detailed dispersion
23 modelling have been compared with relevant air quality
24 standards. No breaches of the air quality standards
25 will result. The impacts of the emissions will not be
26 significant. The Greenhouse Gas emissions from the
27 operations of the terminal were quantified and found to
28 be insignificant relative to Ireland's allocation under
29 the Kyoto Protocol.

11: 30

11: 30

1
2 Accordingly, I am of the view that the potential
3 impacts of the proposed LNG terminal project, in terms
4 of air quality and climate, will not be significant in
5 the short-term, during construction, and in the longer 11: 31
6 term, during operation of the terminal.

7
8 END OF SUBMISSION
9

10 MR. O'NEILL: I am now going to ask 11: 31
11 Ms. Lyden to deal with cumulative impacts and
12 interactions.

13 INSPECTOR: Is this her next paper?

14 MR. O'NEILL: Yes, sir.

15 INSPECTOR: I think we will take a five 11: 31
16 minute break at this stage.
17

18 SHORT ADJOURNMENT
19
20

21 THE HEARING RESUMED, AS FOLLOWS, AFTER A SHORT
22 ADJOURNMENT
23

24 INSPECTOR: Okay, I think five minutes
25 is well up so if people 11: 43
26 could resume their seats please.

27
28 Now, the applicants had intended at this stage to have
29 the next presentation from Ms. Lyden, but at the

1 interval the planning authority, Kerry County Council,
2 pointed out that their Fire Officer, Mr. Kevin Caffrey,
3 is not going to be available this afternoon, owing to a
4 pressing engagement, and he wishes to point out that he
5 is available now for questioning on any aspects of the
6 planning authority's submissions, so I am afraid we are
7 going to take that out of turn. So, if anybody has any
8 questions that they wish to put to Mr. Caffrey now is
9 your opportunity. Do we have any questions for
10 Mr. Caffrey?

11: 44

11: 45

11 **MR. FITZSIMONS:** No questions from the
12 applicant, sir.

13 **INSPECTOR:** Okay, I think you are
14 relieved. Okay, we will
15 get on then with Ms. Lyden's next paper.

11: 45

16 **MR. FITZSIMONS:** Ms. Lyden's next paper
17 deals with the issue of
18 cumulative impacts.

19
20 **MS. LYDEN PRESENTED HER SUBMISSION ON CUMULATIVE**
21 **IMPACTS AS FOLLOWS:**

11: 45

22
23 **MS. LYDEN:** Mr. Inspector, my name is
24 Ri a Lyden. I will take my
25 qualifications and experience as read and I will go to
26 section 2.

11: 45

27
28 Project Involvement: My role was to supervise the
29 preparation of the EIS and I prepared the chapter

1 "other impact and interactions". My evidence will
2 cover the cumulative impacts, indirect impacts and
3 interaction of impacts of the Shannon LNG project.

4
5 Section 3 - introduction: Chapter 17 in volume 2 of 11: 46
6 the EIS addresses the cumulative impacts, the indirect
7 impacts and the potential interactions between
8 different aspects of the environment likely to be
9 significantly affected by the Shannon LNG terminal.
10 Chapter 17 also addresses environmental effects which 11: 46
11 have not been specifically addressed in the individual
12 chapters of the EIS.

13
14 In assessing these impacts and interactions reference
15 was made to the Environmental Protection Agency's 11: 46
16 Guidelines on the Preparation of EIS's and to The
17 Guidelines For the Assessment of Cumulative Impacts and
18 Impact Interactions published by the EU. These
19 documents are referred to in the text below as the EPA
20 Guidelines and EU Guidelines respectively. 11: 47

21
22 I now go to the bottom of that page, section 3.2.
23 Methodology used to assess cumulative and indirect
24 impacts and interactions: The methodology used to
25 assess these impacts is described in section 17.3 of 11: 47
26 volume 2 of the EIS. In the screening stage of
27 preparation of the EIS with the Shannon LNG project a
28 potential for significant cumulative and indirect
29 impacts and interactions was examined and any such

1 potential impacts were identified.

2
3 Where there was potential for significant cumulative
4 and indirect impacts and interactions such impacts and
5 interactions of impacts were included in the scope and 11: 47
6 addressed in the baseline and impact assessment studies
7 for each of the relative environmental media and
8 aspects of the project. The cumulative and indirect
9 impacts and interaction of impacts were presented in
10 the chapters of the EIS which address the most relevant 11: 48
11 environmental media. The matrix and expert opinion
12 approaches As Outlined in the EU Guidelines, were used
13 in the identification of the potential for significant
14 cumulative and indirect impacts and interactions (refer
15 to table 17.1 of volume 2 of the EIS for the matrix of 11: 48
16 potential interactions). Modelling and carrying
17 capacity analysis were used to evaluate impacts.

18
19 Reference was also made to the EPA guidelines and, in
20 particular, to the guidance given in the EPA's advice 11: 48
21 notes for the following project types:

22
23 Project type 2 - Thermal power stations or other
24 combustion installations.

25 11: 48
26 Project type 10 - New or extended harbours

27
28 Project type 21 - Installations for the surface storage
29 of natural gas and fossil fuels.

1
2 Interaction of effects - Matrix of effects: The
3 effects matrix presented in Table 1 below was also
4 presented as table 17.1 of volume 2 of the EIS. The
5 effects matrix examines the potential for the topic or 11: 49
6 issue in the left-hand column to have an effect on the
7 environmental media listed in the top row of the
8 matrix.
9

10 I intend now to go to the top of page 5. The purpose 11: 49
11 of the effects matrix is to identify potential
12 interactions. These are described in section 17.5.2 of
13 volume 2 of the EIS. Actual interactions and their
14 significance are dealt with in the most relevant
15 chapter of the EIS. 11: 50
16

17 I now propose to go to section 4.4 on page 9.
18 Section 4.4 - Indirect effects: Three significant
19 infrastructure projects will be constructed as
20 ancillary development to the Shannon LNG terminal. 11: 50
21 These are the gas pipeline to connect the terminal to
22 the gas transmission grid in the vicinity of Foynes;
23 the power connection to the National Grid at Tarbert;
24 and the upgrade of the Coast Road from Tarbert to the
25 site. These projects are described in the EIS in 11: 50
26 chapter 18 "Ancillary projects". Each of these
27 projects will be subject to a separate approval
28 process, which will consider its environmental effects.
29 The environmental effects of these projects are

1 indirect effects of the Shannon LNG terminal. The
2 effects of these projects were assessed in section 17.6
3 of volume 2 of the EIS.

4
5 4.4.1 - gas pipeline: Section 18.2 of volume 2 of the 11: 51
6 EIS describes the gas pipeline from the terminal to the
7 gas grid. The gas pipeline will be the subject of a
8 separate planning application, including an EIS, which
9 will be made to the Board under the Strategic
10 Infrastructure Act. An application will also be made 11: 51
11 to the Commission for Energy Regulation for consent
12 under the Gas Act, as amended, to construct and operate
13 the pipeline.

14
15 Shannon LNG and Arup Consulting Engineers commenced the 11: 51
16 planning and design of the pipeline in September 2006.
17 The first step was a study of potential pipeline route
18 corridors. Corridors along the northern and southern
19 shores of the estuary were studied with the objective
20 of connecting the LNG terminal to the BGE gas 11: 51
21 transmission pipeline which crosses the estuary just to
22 the west of Foynes. The route corridors were shown in
23 figure 18.1 of volume 3 of the EIS. That figure is
24 reproduced at the back of my statement here. This
25 study took account of general constraints, such as 11: 52
26 ecological and archaeological features, terrain,
27 densely populated areas, constructability and length.
28 Both corridors along the northern shore would entail
29 crossings of the estuary, which is a cSAC and parts of

1 it are a Proposed Natural Heritage Area and an SPA
2 (Special Protection Area). These are significant
3 environmental constraints. Constructing a pipeline
4 crossing of the estuary would also have significant
5 construction and cost implications. The route corridor 11: 53
6 study concluded that the optimal corridor is along the
7 southern shore to the south of Tarbert and Glin, to
8 connect into the gas grid close to Foynes.

9
10 The next step was to carry out a more detailed 11: 53
11 assessment within the selected route corridor. This
12 entailed a series of desk studies which were carried
13 out by the pipeline design engineers, archaeologists
14 and ecologists with reference to Ordnance Survey
15 mapping, Geological Survey of Ireland mapping, the 11: 53
16 Record of Monuments and Places, from the National
17 Monument Service of the Department of the Environment,
18 Heritage and Local Government, and maps of designated
19 areas from the National Parks and Wildlife Service of
20 the Department of The Environment, Heritage and Local 11: 53
21 Government. The County Development Plans and the
22 planning application files of Kerry and Limerick County
23 Council's were studied to determine where there is
24 potential for development, including housing, along the
25 corridor. Visual surveys were also carried out on the 11: 54
26 ground from vantage points on the public roads to
27 support the desktop work. An aerial photography flight
28 was carried out for the general area of the corridor to
29 assist with this work.

1
2 Suitable sites for the connection of the pipeline into
3 the BGE transmission pipeline were identified. The
4 criteria that were used for this included
5 archaeological and ecological constraints, the area of 11: 54
6 land available, the terrain, the visual impact and ease
7 of access from the public road. Landowners along the
8 preliminary route were identified by reference to the
9 Land Registry. The mechanical design of the pipeline
10 system, which includes the sizing of the pipeline and 11: 54
11 the design of the connection systems Known As Above
12 Ground Installations or AGI's) at both ends of the
13 pipeline were started. This work is currently ongoing
14 and will be included in the pipeline planning
15 application. The pipeline is being designed and will 11: 55
16 be constructed and operated using the same design codes
17 and specifications that have been used by Bord Gáis
18 over the past 30 years. Consultations have been held
19 with Bord Gáis in relation to the pipeline.

20
21 It is planned that the pipeline application and EIS
22 would be submitted to the Board in the first half of
23 2008.

24
25 The indirect effects of the pipeline were assessed in 11: 55
26 terminal EIS, in section 17.6 of volume 2 as follows:

27
28 *"The pipeline route will be chosen to avoid*
29 *environmentally sensitive areas and known*

1 archaeological or cultural heritage sites. Mitigation
2 measures will be implemented to prevent pollution and
3 minimise disturbance to local people and the flora and
4 fauna during the construction of the pipeline. The
5 land along the pipeline will be fully reinstated, 11: 56
6 following completion of construction, and return to the
7 farmer or land owner. The pipeline crossings of roads,
8 rivers and through hedgerows and field boundaries will
9 be fully reinstated. The main environmental impacts of
10 the gas pipeline will arise from the construction 11: 56
11 phase. The construction "working width"; a strip of
12 land along the pipeline used during construction will
13 be fenced off and unavailable to the farmer or
14 landowner for the duration of the construction phase.
15 An Above Ground Installation will be constructed at the 11: 56
16 connection to the existing gas pipeline. The Above
17 Ground Installation will take a small area of land
18 permanently from agricultural use. Following
19 completion of construction the pipeline will not have a
20 significant negative impact". 11: 56

21
22 The main permanent effect of the pipeline will be the
23 restriction on building immediately over the pipeline.
24 There will be no restriction on the agricultural use of
25 the land over the pipeline. 11: 57

26
27 4.4.2 -- Power connection: Shannon LNG has applied to
28 EirGrid for a power connection under EirGrid's formal
29 Connection Offer Process. Until the completion of this

1 process, the scope of EirGrid's transmission
2 development work cannot be fully determined. EirGrid's
3 initial studies have confirmed that the Tarbert 220kv
4 station has adequate capacity for the Shannon LNG
5 connection and that the works required will comprise a 11: 57
6 new 110kv substation at the LNG terminal, two new 110kv
7 connections to Tarbert, and new 110kv bays at the
8 Tarbert 220kv station. EirGrid has indicated that the
9 new lines will comprise two sections of overhead line
10 5km in length and two sections of underground cable 2km 11: 57
11 in length. EirGrid will design all of these works and
12 apply for all necessary permits.

13
14 The main effect of the power lines will be the visual
15 impact of the pylons and restrictions on building 11: 58
16 within a certain distance of the power lines and the
17 pylons. There will also be localised disturbance to
18 landowners and road users during the construction
19 phase. Mitigation measures will be implemented to
20 prevent pollution and minimise disturbance to local 11: 58
21 people and the flora and fauna during the construction
22 of the power lines. The route of the power lines will
23 be chosen to avoid environmentally sensitive areas and
24 known archaeological or cultural heritage sites. The
25 power lines, which will be designed, constructed and 11: 58
26 operated and maintained in full compliance with The
27 International Commission on Non-Ionising Radiation
28 Protection (ICNIRP) Guidelines and relevant EU
29 recommendations are not expected to have any effect on

human health.

Road upgrade: As described in section 17.6 of volume 2 of the EIS, the upgrade works to the Coast Road from Tarbert were designed to minimise the amount of land taken from the front gardens of houses along the road and to avoid known archaeological and cultural heritage sites. The main negative environmental impact of the upgrade works would be the removal of the hedgerow and grass margin along the road to allow widening of the carriageway. Hedgerows provide a valuable habitat and corridor for wildlife. In some locations the road will be realigned and small areas of land will be taken out of agricultural use. Mitigation measures, including traffic management measures, will be implemented to prevent pollution and minimise disturbance to the local people, road users and the flora and fauna during construction. Once completed, the upgraded road will be a significant improvement for road users.

11: 59

11: 59

11: 59

11: 59

4.4.4 - Possible Future Power Station:

A gas fired power station may be built on the LNG terminal site at a future date and space has been reserved on-site to facilitate this. The power station would be subject to a future planning application, which would require an EIS and would also require an Integrated Pollution Prevention and Control Licence from the EPA in order to operate. The full environmental effects of the power station would be

12: 00

1 consider in these approval processes. The main effect
2 of the power station would be to increase the supply of
3 electricity to the National Grid. Generation of
4 electricity has synergies with the LNG regasification
5 process as the waste heat from the generation process 12: 00
6 can be used in the regasification process. This would
7 increase the energy efficiency of the power generation
8 and would probably remove the requirement to use
9 seawater and gas fired boilers in the regasification
10 process. There may be excess heat from the power 12: 00
11 generation, even with the use of heat for
12 regasification, and some seawater cooling may be
13 required. The power station may have a landscape and
14 visual impact on views from the south as it would be
15 closer to the road. It is expected that the power 12: 01
16 station would not have a significant effect on the
17 noise levels, water quality or ambient air quality.

18
19 Other Indirect Effects: Other indirect effects are
20 described in various chapters of the EIS. 12: 01

21
22 I propose now to go to page 13, the next page, and
23 section 4.5.

24
25 Cumulative Impacts: The cumulative impacts of the 12: 01
26 development have been addressed in the relevant
27 chapters of the EIS and summarised in section 17.7 of
28 volume 2 of the EIS.

1 I propose now to go to the top of page 14.

2
3 Since we have no information on the suggested petroleum
4 storage facility it is simply not possible to address
5 any cumulative effects that there might be between that 12: 02
6 facility and the LNG terminal.

7
8 The overall cumulative impact of the development will
9 be the provision of an alternative source of natural
10 gas for the island of Ireland, increased economic 12: 02
11 activity in the North Kerry region during the
12 construction and operation of the terminal, Increased
13 shipping activity in the estuary and moderate to
14 significant visual impact, resulting in the site having
15 a less rural ambience than it has currently. 12: 02

16
17 Section 5 - Response to submissions to An Bord
18 Pleanála:

19
20 Submission L002 and L015: Concerns were expressed at 12: 02
21 potential health impacts of living near the pylons
22 associated with the power supply to the LNG terminal.

23
24 Response: The power lines will be designed,
25 constructed, operated and maintained in full compliance 12: 03
26 with The International Commission on Non-Ionising
27 Radiation Protection Guidelines and relevant EU
28 recommendations. The magnitude of the electric and
29 magnetic fields associated with the power lines will be

1 calculated to ensure that the levels to which the
2 public will be exposed will be a small fraction of the
3 ICNIRP and EU guideline limits for the protection of
4 the human health. There will not be a health risk from
5 the power lines.

12: 03

6
7 Submission L002, L009, L015, L018 and L024: The
8 authors of submissions L002 and L015 stated that they
9 would be subjected to a view of the pylons. In L009
10 concerns were expressed about the visual impact of the 12: 04
11 pylons. In L009 and L018 and L024 it was suggested
12 that the pylons should be underground or that the Board
13 should impose a condition to put the power lines
14 underground.

12: 04

15
16 Response: 2km of the 7km length of the power lines are
17 expected to be underground. It is expected that
18 EirGrid, in routing the overhead portion of the lines,
19 will attempt to minimise their visual impact and visual
20 impact will be examined in detail as part of the route 12: 04
21 selection process. The visual impact of the pylons
22 will be assessed by the planning authority or the
23 Board when an application is made for the power lines.
24 It will be open to the planning authority or the Board
25 to impose such a condition at that time.

12: 04

26
27 Submission L024: It is submitted that the power
28 connection to the site should have sufficient capacity
29 for a future power station before.

1
2 Response: Shannon LNG's application to EirGrid for a
3 power connection is only to meet the terminal
4 requirements. A power station is not proposed at this
5 time.

12: 05

6
7 Submission L024, L050 and L054: It was submitted that
8 not to include the power lines in the current
9 application is project splitting.

12: 05

10
11 Response: This issue was addressed by Mr. Paddy Power
12 in his evidence.

13
14 Submission L016, L024, L048, L050 and L054: It was
15 submitted that not to include the gas pipeline in the
16 current application is project splitting.

12: 05

17
18 Response: This issue was addressed by Mr. Paddy Power
19 in his evidence.

12: 05

20
21 Submission L024, L049 and L054: It was submitted that
22 public access to the foreshore at Kilcolgan Strand
23 should be retained.

24
25 Response: SHANNON LNG agrees that the road pathway to
26 the shore to the west of the Shannon LNG terminal site
27 will remain available for public access.

12: 06

28
29 Submission L043: It was submitted that rural life in

1 the area will be destroyed and that the neighbours will
2 no longer be able to walk up and down the road and stop
3 and chat.

4
5 Response: As Mr. Tony Lynch has explained, there will 12: 06
6 be significant additional traffic from Tarbert as far
7 as the terminal site entrance for the duration of the
8 construction phase. The increase in traffic during
9 operation will be insignificant. The road will be
10 upgraded and widened so that it will be far safer to 12: 06
11 walk along it. Noise and air emission impacts on
12 pedestrians will not be significant.

13
14 Submission L049: It was submitted that while the
15 process is described in the EIS there is insufficient 12: 06
16 information on the health and safety aspects and the
17 impacts on the natural environment, particularly on the
18 Shannon itself, which is a cSAC.

19
20 Response: Health and safety is covered in detail in 12: 07
21 the EIS in section 3.10 of volume 2, which addressed
22 safety controls for the LNG terminal, including the
23 hazard detection system, the hazard control system,
24 fire protection, spill impoundment, emergency shut
25 down, and LNG ship safety systems, including LNG ships, 12: 07
26 ship manoeuvring simulations and shipping health and
27 safety issues. Appendix 3(b) in volume 4 also
28 addresses ship safety and Appendix 3(e) of volume 4
29 summarises the quantified risk assessment which was

undertaken.

The potential and actual impact of the project on the natural environment is covered in great detail in the EIS. Chapter 5 addressed landscape impacts. Chapter 8 addressed air quality and climate impacts. Chapter 9 addressed noise and vibration. Chapter 10 addressed impacts on terrestrial and freshwater ecology. Chapter 11 addressed impacts on the marine ecology of the Shannon. Chapter 12 addressed impacts on soils and geology. Chapter 13 addressed hydrology and hydrogeology. Chapter 15 addressed impacts on human beings. Chapter 16 addressed impacts on material assets.

Submission L050: It was submitted that the cumulative impact of the chlorine discharges from Money Point power station were not included in the modelling. The submission also stated that a number of elements of the project, including the housing and accommodation of construction workers, were not addressed in the EIS.

Response: The inclusion of the discharges from Money Point in dispersion modelling was addressed by Dr. Rory Doyle. I reiterate that these discharges were included and thus the cumulative impact of the discharges from Money Point was addressed in the EIS in section 11.6.2 and Appendices 11(b) 11(c).

1 The housing and accomodation of the construction
2 workforce is addressed in the 4th paragraph of section
3 15.5.3 of volume 2 of the EIS. It is expected that the
4 workforce will rent accommodation, including
5 accommodation normally used by tourists, in the local 12: 09
6 area and nearby towns, such as Listowel, Ballybunion
7 and Tralee.

8
9 Submission L055 - Clare County Council: Section 5 of
10 the submission from Clare County Council stated that it 12: 09
11 was unclear if a power station was proposed on the
12 lands subject to industrial zoning. The submission
13 requested that the cumulative impact of any proposed
14 development and its impact on Co. Clare be fully
15 assessed. 12: 09

16
17 Response: A power station does not form part of the
18 proposed Shannon LNG project but may occur in the
19 future. The cumulative impacts of the project were
20 addressed in the EIS as described in section 4.5 above. 12: 10
21 The visual impact of the project on Co. Clare was
22 addressed in the EIS in chapter 5 of volume 2. Nine of
23 the photomontages included in the assessment, these
24 were photomontages V20 to V29, were views from Co.
25 Clare. The visual impact on Co. Clare has been 12: 10
26 addressed by Mr. Thomas burns at this hearing. The
27 project is not expected to have a significant impact on
28 the air quality, noise, environment, habitats and
29 species, traffic or cultural heritage, tourist industry

1 or health and safety in Co. Clare. The project will
2 result in greater economic activity in North Kerry,
3 which will indirectly have a positive economic impact
4 on the south western portion of Co. Clare.

12: 10

5
6 Submission L056 - Kerry County Council: In relation to
7 cumulative impacts and interactions, in its submission
8 Kerry County Council concluded: In considering
9 cumulative impacts and interactions the planning
10 authority is of the opinion that no additional impacts 12: 11
11 arise other than those previously addressed throughout
12 the report.

13
14 Response: I agree with the conclusions of Kerry County
15 Council.

12: 11

16
17 **Conclusion:** The relevant cumulative impacts, indirect
18 impacts and interaction of impacts have been fully
19 addressed in the EIS. This assessment has demonstrated
20 that there will not be significant negative indirect 12: 11
21 impacts or interactions. The overall cumulative impact
22 of the development will be moderate to significant
23 visual impact resulting in the site having a less rural
24 ambience than it has currently, the provision of an
25 alternative source of natural gas for the Island of 12: 11
26 Ireland, Increased economic activity in the North Kerry
27 region during the construction and operation of the
28 terminal, and increased shipping activity on the
29 estuary.

1
2 END OF SUBMISSION
3

4 INSPECTOR: Thank you Ms. Lyden.

5 MR. FITZSIMONS: Inspector, that concludes 12: 12
6 the formal statements of
7 evidence presented on behalf of the applicant. I
8 should say to you that there is a response that has
9 been prepared in relation to various ecological issues
10 that were raised yesterday by Mr. Fitzsimons for the 12: 12
11 Shannon Regional Fisheries Board and Dr. Good of the
12 National Parks and Wildlife Service and, indeed, your
13 own assistant Mr. Brophy, and that document has been
14 prepared. It is not a statement of evidence per se but
15 perhaps it might make some sense to let Ms. Lyden field 12: 12
16 any questions that you may have, sir, or the other
17 parties, in respect of her two statements and perhaps
18 then Mr. Lynch could deliver his précis of the response
19 to those issues.

20 INSPECTOR: Okay. Does anybody have 12: 12
21 questions for Ms. Lyden?

22 Okay, if we could have An Taisce please.
23
24
25
26
27
28
29

MS. LYDEN WAS QUESTIONED BY THIRD PARTIES, AS FOLLOWS:

MS. McMULLIN: Thank you. I have just a couple of short ones. One is the gas power station that she talked about, is it being located within the Shannon LNG site boundary or are you talking about a development on the adjoining lands?

MS. LYDEN: Mr. Inspector, two potential locations were indicated on the Shannon LNG site itself for a possible future power station.

MS. McMULLIN: The next question I have is about a reference about the chlorine discharges from Money Point and the cumulative effects and so on, which is fine. But one of the questions we raised in the An Taisce submission -- now it may have been dealt with yesterday, I wasn't here -- but it was had the effect of the emissions from Money Point on the existing environment been studied to see how it would relate to potential effects in the future from Shannon LNG?

MS. LYDEN: Mr. Inspector, the effects from Money Point were taken into account in the air modelling, as I have just described here, the air impact assessment, and in the study of the impacts on the estuary. The discharges from Money Point and Tarbert power station were taken into account on both of those and the cumulative impact

1 of our development, or the Shannon LNG development,
2 with those two power stations were found not to be
3 significant.

4 **MS. McMULLIN:** Well, that wasn't actually
5 the question I was asking. 12: 14

6 I understand that, about the cumulative impact. But
7 Money Point and Tarbert have been operating for many
8 years with these kind of discharges and I just wondered
9 if anyone had looked at what had the affect of those
10 been on the areas surrounding these power stations. 12: 14

11 **MS. LYDEN:** That wasn't part of our
12 study for this project. I
13 can't give any further information.

14 **MS. McMULLIN:** Right, thank you. I have
15 just one more. In An 12: 15
16 Taisce's submission we did raise this question of the
17 access to the shore and I see here that they agree that
18 the road pathway to the shore will remain available for
19 public access. We had suggested that maybe they could
20 think of upgrading it so it would be more suitable for 12: 15
21 people to make access. My other question is: Will it
22 be on the Shannon LNG lands? Or is it on the adjoining
23 lands?

24 **MS. LYDEN:** At the moment it will be
25 part of the Shannon LNG 12: 15
26 lands, but outside the fence. The fence is further
27 east so -- the pathway is west of the fence line of the
28 Shannon LNG lands so it is within Shannon LNG's land,
29 but outside the fence of the terminal.

1 MS. McMULLIN: Okay, that's grand. That's
2 what I was hoping, but I
3 just was afraid that we would discover afterwards that
4 you didn't own it and then this promise wouldn't have
5 any effect. Thank you. 12: 16

6 INSPECTOR: Can I just clarify this
7 business of the right of
8 way. I have only looked at it recently on the small
9 scale drawings you have there, but it shows the
10 boundary of your site inside that right of way, or 12: 16
11 track, or to the east of that track, until it passes a
12 junction to the old farmhouse and after that it punches
13 into your site to get to the car park at the
14 termination of that track. Now, are you saying that
15 that car park and the track beyond the junction will 12: 16
16 now be outside your boundary fence?

17 MS. LYDEN: I will pass that on to
18 Mr. Paddy Power to
19 elaborate.

20 MR. POWER: Mr. Inspector, the line 12: 17
21 that is shown in the -- the
22 arrangement that we have with Shannon Development, the
23 line with Shannon Development is to the west of that
24 road. We have not yet determined whether that road
25 will be returned to Shannon Development or not. We are 12: 17
26 not at this stage though anticipating holding on to
27 that road. But it is the property of Shannon
28 Development, that's our understanding. But it is
29 within the area for which we have an option to

1 purchase.

2 **MR. J. McELLI GOTT:** Mr. Inspector, there is

3 also... (INTERJECTION)

4 **INSPECTOR:** Sorry. But you do show

5 it going into your site on, 12: 17

6 I think, the map just directly behind you, beyond the

7 junction to the old farm complex.

8 **MR. POWER:** Oh, it is within the area

9 within which we have an

10 option to purchase, that's correct. 12: 18

11 **INSPECTOR:** But it is within the fence

12 line?

13 **MR. POWER:** I must look at the detail

14 of that. I believe that

15 the fence may be east of the road. 12: 18

16 **INSPECTOR:** Is that what you are

17 saying, it should be east of the road?

18 **MR. POWER:** It can be east of the road.

19 We have no plans for that

20 road at this stage. We have no plans to change the 12: 18

21 condition of the road. It is the property of Shannon

22 Development but we do have an option to purchase it if

23 we exercise that option.

24 **INSPECTOR:** But that is not your

25 intention? 12: 18

26 **MR. POWER:** We have no plans for it at

27 this stage, Mr. Inspector,

28 no, and we have no reason to believe why it shouldn't

29 continue to be in public use. It has been for the

1 number of years that I have been driving down it. It
2 seems to be just a public road. But my understanding
3 is that it is actually the property of Shannon
4 Development. But really only Shannon Development can
5 answer that question. 12: 19

6 **INSPECTOR:** Okay. Do the planning
7 authority have a view on
8 that road? It is sign posted, there is a junction
9 sign, then there is a finger post sign saying
10 "Kilcolgan Strand"; is that a public road? 12: 19

11 **MR. SHEEHY:** Mr. Inspector, we are under
12 the impression that it is a
13 public road but I can clarify that for you and have a
14 definitive answer for you after lunch.

15 **MR. J. McELLI GOTT:** Mr. Inspector, there is 12: 19
16 also the... (INTERJECTION)

17 **INSPECTOR:** Just hold on a moment. Is
18 Shannon Development here?
19 Do you have a view on that road?

20 **MR. O' SULLIVAN:** Yes, Mr. Inspector. 12: 19

21 Mr. Inspector, Shannon
22 Development owns all of the land which is the subject
23 of the purchase option.

24 **INSPECTOR:** So you take the view that
25 that is not a public road? 12: 20

26 **MR. O' SULLIVAN:** We take the view that there
27 may be a right of way along
28 that road but that it is owned by Shannon Development.

29 **INSPECTOR:** Okay. So you may be able

1 to tell us more after
2 lunch.
3 **MR. SHEEHY:** I am just going to make a
4 phone call now,
5 Mr. Inspector, to clarify that. It won't take long and 12: 20
6 we will have an answer for you on that.
7 **INSPECTOR:** Okay. Mr. McElligott?
8 **MR. J. McELLI GOTT:** There is also a right of
9 way through Stevie Lynch's
10 farm, which is one of the possible areas for the power 12: 20
11 point location. So that will also have to be taken
12 into account.
13 **INSPECTOR:** Mr. McElligott, you said a
14 "right of way to Stevie
15 Lynch's farm". 12: 20
16 **MR. J. McELLI GOTT:** No, through Stevie Lynch's
17 farmhouses down to the property of Stevie Lynch, which
18 is the 1.88 acres that Eileen O'Connor was talking
19 about yesterday.
20 **MR. FITZSIMONS:** I think, Inspector, you 12: 21
21 have heard the developer's
22 view in relation to that and Shannon Development's view
23 as to the ownership of that land and it has been made
24 clear that if such a right of way is proven that,
25 obviously, that will be taken into account by the 12: 21
26 developer in its development of the land. But that has
27 not, certainly pursuant to Shannon Development's
28 evidence, being yet as proven.
29 **INSPECTOR:** I am unclear as to what you

1 mean by Stevie Lynch's
2 farm.

3 **MR. J. McELLI GOTT:** The land owned by Stevie
4 Lynch, that is not owned by
5 Shannon Development, is on the coast, 1.88 acres, and 12: 21
6 that land is completely surrounded by the site. Eileen
7 O'Connor and John O'Connor say that they have a right
8 of way through Stevie Lynch's buildings, which is when
9 you go down that road towards the turntable and you
10 take a turn to the right to go into the buildings there 12: 22
11 of Stevie Lynch. And that is on the site that sold.

12 **INSPECTOR:** So when you say Stevie
13 Lynch's farm you mean?

14 **MR. J. McELLI GOTT:** What is Steve Lynch's farm
15 buildings. 12: 22

16 **INSPECTOR:** Locally known. That
17 belonging to Shannon Development?

18 **MR. J. McELLI GOTT:** Yes. Which has been sold
19 subject to planning. But
20 to get to the land owned by... (INTERJECTION) 12: 22

21 **INSPECTOR:** Yes, I understand that. I
22 just wondered whether
23 Stevie Lynch still had an interest elsewhere in the
24 site. But that is not the case.

25 **MR. J. McELLI GOTT:** No, that's the site. But 12: 22
26 it is going right through
27 the site, and that's why they asked all the questions
28 about safety. Really it is very strange that someone
29 is applying for planning permission without having

1 established the rights of way. If they have to go to
2 court afterwards it is going to be very expensive.

3 **INSPECTOR:** Mr. Fox?

4 **MR. FOX:** John Fox, Mr. Inspector. I
5 want to just clarify, I am 12: 22
6 not clear in my own mind about the Kilcolgan Road. I
7 am clear enough down as far as the junction where you
8 can go left or right. If Shannon LNG put a fence on
9 the right-hand side as you go down there will be
10 access. But when you get down to the junction the land 12: 23
11 belonging to LNG veers off to the left, veers west, and
12 I want to know will there be an access way straight on
13 or will they be insisting on going down to the left,
14 along the old road that's there now, down as far as the
15 strand? 12: 23

16 **MR. POWER:** Mr. Inspector, we have no
17 plans for that road. As far as we are concerned,
18 people can use that road as they have been using it.
19 But the road does not belong to Shannon LNG. The
20 property today is owned by Shannon Development and we 12: 24
21 have purchased an option to -- we have agreed an option
22 to purchase the land within the red lines shown on the
23 diagram. Some of that land we may not exercise the
24 option to purchase on. Our primary interest is to
25 develop an LNG terminal, not acquire land in North 12: 24
26 Kerry.

27 **INSPECTOR:** Does that satisfy you
28 Mr. Fox?

29 **MR. FOX:** Mr. Inspector, I am still

1 not clear. I would like to
2 hear a commitment from LNG that if they have control
3 over the property they will leave a right of way, a
4 roadway down there no matter what happens. If they
5 don't own the property -- and I am not getting into 12: 25
6 semantics about which buys what or who buys what -- if
7 Shannon Development own it I would like to get a
8 commitment from them that the public will still have a
9 right of way down there, before or after or during the
10 sale. 12: 25

11 **MR. FITZSIMONS:** Inspector, in relation to
12 Shannon LNG's involvement,
13 it is set out clearly at page 15 of Ms. Lyden's
14 statement that Shannon LNG agrees that the road pathway
15 to the shore to the west of Shannon LNG terminal site 12: 25
16 will remain available for public access. That is the
17 stated express position of Shannon LNG.

18 **MR. J. McELLI GOTT:** The right of way we are
19 talking about is to the
20 east. 12: 26

21 **MR. FITZSIMONS:** The question from Mr. Fox
22 related, as I understand
23 it, to right of way, so called, that leads to the
24 strand. That was my understanding of the question.

25 **INSPECTOR:** Can you tell me what the 12: 26
26 position is when you get to
27 the car park or turning area at the end of that road?
28 It appears that you just wander then across a field to
29 reach the shoreline. Is that correct?

1 **MR. POWER:** I can answer that,
2 Mr. Inspector. That is
3 correct. And looking at the map here in front of me,
4 we will, with your permission, we will adjust the fence
5 so that it runs west -- so that it runs east of that 12: 26
6 road and to ensure that whatever status that road has
7 right now it continues to have that status.
8 **INSPECTOR:** Okay, well I think that
9 answers it.
10 **MR. J. McELLI GOTT:** That doesn't answer the 12: 27
11 question about the right of
12 way through the buildings.
13 **INSPECTOR:** We have been through that
14 yesterday, or a few days
15 ago. 12: 27
16 **MR. J. McELLI GOTT:** Okay.
17 **INSPECTOR:** Does anybody else have any
18 further questions for
19 Ms. Lyden? Mr. Kearney?
20 **MR. KEARNEY:** Just one quick question. 12: 27
21 In relation to the impacts
22 and interactions, did you see fit to study the possible
23 future interactions between the LNG facility and
24 development of the remaining Shannon Development lands?
25 **MS. LYDEN:** Mr. Inspector, we don't 12: 27
26 have any details of
27 possible future development on the remaining land, so
28 it is not possible at this stage to study those
29 interactions, or any potential interactions.

1 **MR. KEARNEY:** No, but with the current
2 industrial zoning on the
3 lands, the likelihood is there is going to be, well
4 supposedly, intensive employment or port facilities or
5 something there.

12: 28

6 **MS. LYDEN:** It is not possible to --
7 without details of those
8 projected developments we can't model them or anything
9 else.

10 **MR. SHEARER:** Mr. Inspector, let me try
11 to answer that. We have
12 seen from the QRA submitted by ERM to the HSA that the
13 zones of concern that would arise from the Shannon LNG
14 development all fall within the Shannon LNG site and,
15 in fact, do not extend across the western boundary of
16 the site at all. Therefore, to the best of our
17 knowledge, there is no activity of an industrial or
18 maritime nature that would be prevented from locating
19 on the remaining acreage of the Shannon Development
20 Landbank. None whatsoever.

12: 28

12: 28

12: 29

21 **MR. KEARNEY:** But what I am requesting
22 is, or what I am stating is
23 there is no definitive study conducted by Shannon LNG,
24 Shannon Development or Kerry County Council. I would
25 like to put that and state it clearly on the record.
26 We have a distinct and glaring lack of an overall
27 master plan for the industrially zoned lands. There
28 should be an integrated area plan conducted and in the
29 absence of that plan this Landbank will never be

12: 29

1 developed properly or sustainably.

2 **MR. SHEARER:** That's an issue, I think,
3 for Shannon Development and
4 Kerry County Council. It is our understanding those
5 land are... (INTERJECTION) 12: 29

6 **MR. KEARNEY:** But just to put that on the
7 record.

8 **MR. SHEARER:** Excuse me, Mr. Kearney, I
9 am still speaking. It is
10 my understanding that those lands are zoned for 12: 29
11 industrial development and for potential marine
12 industrial uses and Shannon Development has a process
13 underway, I think we have heard repeatedly, of
14 soliciting interest for that land and they have
15 interest expressed on those lands and acreage with the 12: 30
16 full and express knowledge of the LNG facility. Thank
17 you.

18 **INSPECTOR:** Ms. Griffin?

19 **MS. GRIFFIN:** Just to add to that. Last
20 week Mr. O'Sullivan from 12: 30
21 Shannon Development mentioned that there was one other
22 industry expressing an interest in land on the
23 landbank, I think it was called SemEuro. But on Monday
24 Mr. Ogie Moran from Shannon Development said there were
25 sever other industries interested in acquiring land on 12: 30
26 the landbank. I just wanted to know which statement is
27 correct.

28 **INSPECTOR:** Mr. O'Sullivan?

29 **MR. O'SULLIVAN:** Mr. Inspector, the process

1 of finding suitable
2 investment projects for the Kerry Deepwater Zone is
3 covered in section 2 of the Shannon Development input
4 earlier last week. Late last year Shannon Development
5 confirmed that it was in early stage discussions with 12: 31
6 SemEuro in relation to the remaining Shannon
7 Development lands. That continues to be the case.
8 **MS. GRIFFIN:** Are there any other
9 businesses interested in
10 acquiring land at the landbank besides SemEuro? 12: 31
11 **MR. O' SULLIVAN:** There is always some level
12 of interest.
13 **MS. GRIFFIN:** But you specifically said
14 last week that at present
15 there was only one other industry interested in 12: 31
16 acquiring land at the landbank.
17 **MR. O' SULLIVAN:** No, we are in early stage
18 discussions with SemEuro.
19 **MS. GRIFFIN:** Yes, but you said that that
20 at present was the only 12: 32
21 industry that was interested in acquiring land at the
22 land bank. We you said "a few" and we said "how many
23 exactly?" and you said "one".
24 **MR. MORAN:** I had said that there was a
25 few inquiries. There is 12: 32
26 three inquiries we have had, you know, actually talking
27 to one. I think both statements are correct, in that
28 we have had a few inquiries. I have had lots of phone
29 calls and lots of inquiries. We would have three

1 active inquiries and we are actually presently talking
2 with one. So we are probably both correct.

3 **MR. J. McELLI GOTT:** Mr. Ogie Moran, could you
4 describe the type of
5 industries that are interested? If SemEuro is for a 12: 32
6 petroleum storage facility, Sea Energy Group is for
7 wave generation electricity, what is the third one?
8 Just a general outline of what they are interested in.

9 **MR. MORAN:** In fairness, Johnny, I
10 won't go down that road. 12: 32

11 Except to say that I have inquires for it. Because it
12 wouldn't be fair to those who are inquiring. I
13 wouldn't have disclosed Sem's inquiry, they disclosed
14 themselves. The same way that when Paddy Power was
15 talking to us two years ago we wouldn't have spoken 12: 33
16 about Paddy Power's project. So in fairness to say
17 that we would not go down that. But it is to say that
18 we had a good response to our call for proposals and we
19 have had a few informal inquiries as well apart from
20 the call for proposals. 12: 33

21 **MR. J. McELLI GOTT:** Yes, but Dr. Jerry Havens
22 stated that the siting
23 decision of any future industry would be impacted by an
24 LNG terminal being on the site. And in the County
25 Development Plan it is stated that the landbank is used 12: 33
26 for port facilities, industrial development and large
27 employment creation. So, what I am asking Shannon
28 Development is very clearly why do you not have a
29 master plan of a development in which we can look at

1 the cumulative effects, as Ri a Lyden has lined out? We
2 need to know how an LNG terminal would fit in with all
3 these supposedly interested parties. And really we are
4 not getting the full picture. It is so obvious.

5 **INSPECTOR:** Mr. McElligott, I think 12: 34
6 Mr. Shearer has answered
7 that question.

8 **MR. J. McELLI GOTT:** Okay.

9 **INSPECTOR:** It is pointless pursuing
10 this line of inquiry. 12: 34

11 **MR. J. McELLI GOTT:** Well, it is not really in
12 the one sense, it really
13 has to be pointed out that when you are making your
14 decision to An Bord Pleanála you are going to have to
15 take Local Development Plans and Kerry County 12: 34
16 Development Plans into account and it is specifically
17 written down there that you must take into account the
18 policies. Shannon LNG have continuously quoted those
19 development policies for the landbank, so they cannot
20 be expected to come in and just stick on a terminal and 12: 34
21 say that we will deal with everything else afterwards.
22 I mean, there is a big problem here and the big problem
23 is that we do not have the full picture. And it is
24 very clear. I mean, they are talking about a supposed
25 gas pipeline and a supposed power station. Why don't 12: 34
26 they show the pictures of what that gas power station
27 would look like? We don't know.

28
29 You are only looking a terminal, you are looking at one

1 entity that cannot survive on its own. There is
2 another master plan there and I would ask either Kerry
3 County Council or Shannon Development, there is a
4 master plan, something to do with Tarbert Island power
5 station. Because, really, when you look it, we have 12: 35
6 Money Point which is the coal side of the hydrocarbons,
7 we have Tarbert Island, which is the oil side, and now
8 the third leg of these three things is the gas, and
9 nobody is telling us what are the links between all
10 these different interactions and for energy supply, 12: 35
11 etc. We are only being drip fed some of the
12 information and that is the nub of the problem.

13 **INSPECTOR:** Do you wish to comment on
14 that.

15 **MR. FITZSIMONS:** Yes. The context in which 12: 35
16 this issue is raised is in
17 the context of the Environmental Impact Assessment
18 Directives, which requires an assessment of the
19 cumulative impacts, both direct and indirect, and the
20 interactions between those and it is quite clear from 12: 36
21 the provisions of the Directive itself that what is
22 required in the Environmental Impact Statement is
23 relevant to the given stage of the consent procedure
24 and to the specific characteristics of the particular
25 project, or the type of project, and the environmental 12: 36
26 features likely to be affected. That's pursuant to
27 Article 5 of the Directive. That's the context within
28 which the cumulative impacts have been assessed. It
29 can only be done in present tense and assessed all

1 factors that were known to the developer at the time at
2 which the EIS was prepared, and could not and did not
3 deal with hypothetical interests in relation to other
4 areas of land that fall outside the red line boundary
5 of the site. 12: 36

6 **MR. KEARNEY:** Excuse me, Inspector. I
7 just want to state at this
8 point that I feel that it is incumbent upon An Bord
9 Pleanála to request Kerry County Council to actually
10 put together an integrated and holistic approach to 12: 37
11 planning for the entirety of the landbank. As I said
12 before, in the absence of that plan I think the project
13 is seriously questionable.

14 **INSPECTOR:** Perhaps Kerry County
15 Council could address that 12: 37
16 when it comes to their turn for making a presentation.
17 Ms. Griffin?

18 **MS. GRIFFIN:** I just want to ask
19 Ms. Lyden. On page 10 of
20 the second report, the second statement she gave, 12: 37
21 second paragraph down:

22 "The landowners along the preliminary
23 route were identified by reference to
24 the Land Registry."

25 I just wanted to know if some of the landowners are not 12: 38
26 willing to let Shannon LNG or An Bord Gáis work and put
27 a pipeline through their land what exactly would
28 Shannon LNG do about that?

29 **MS. LYDEN:** Well, the pipeline routing

hasn't been concluded yet, it is still a work in progress. I suspect the first option would be to re-route the pipeline away from those landowners.

MS. GRIFFIN: Can I just ask, on the previous page, when speaking about constructing an underwater pipeline you said:

12: 38

"...would have significant construction and cost implications."

12:38

What do you mean by "cost implications"? That it would cost more, is it?

MS. LYDEN: Yes.

MS. GRIFFIN: Okay.

12: 38

MR. J. McELLI GOTT: Ms. Lyden, i sn't there already a pipel ine going under the estuary?

MS. LYDEN: Yes.

MR. J. McELLI GOTT: So i t wou ld not be
techni cal ly di ffi cul t or
anythi ng?

12:38

MS. LYDEN: It would not be technically difficult.

MR. J. McELLI GOTT: On page 10, Ms. Lyden, you say that:

12:39

"... the land along the pipeline will be fully reinstated following completion of construction and returned to the farmer or landowner."

1 How many years will that land not be usable by the
2 farmers and landowners?

3 MS. LYDEN: Where on page 10?

4 MR. J. McELLI GOTT: Page 10 and 11. Bottom of
5 page 10 and top of page 11. 12: 39

6 It says:

7 "The construction workings with a strip
8 of land along the pipeline used during
9 construction will be fenced off and
10 unavailable to the farmer or landowner
11 for the duration of the construction
12 phase." 12: 39

13 Now, I am just wondering how many years are you talking
14 about that the land will not be available to the
15 landowners?

16 MR. LYDEN: Mr. Inspector, all of this 12: 39
17 will be dealt with in great
18 detail in the pipeline EIS.

19 MR. J. McELLI GOTT: But you mentioned it here,
20 so.

21 INSPECTOR: Can you give an estimate on 12: 39
22 that? Surely, it is not a
23 very long time.

24 MS. LYDEN: No, one growing growing
25 season.

26 MR. J. McELLI GOTT: One growing season? How 12: 40
27 long would it take? I
28 thought he said during the construction phase. If the
29 construction phase is going to go on for several years
will it not be taken away from the landowners for a

1 number of years really?

2 **MS. LYDEN:** Mr. Inspector, that

3 pipeline is only 25

4 kilometres, at this stage we expect it will be done in

5 one season. 12: 40

6 **INSPECTOR:** The entire pipeline?

7 **MS. LYDEN:** Yes, it is only 25

8 kilometres.

9 **INSPECTOR:** But even if that wasn't the

10 case, if it was be much 12: 40

11 longer, it would be done in sections so that it

12 wouldn't necessarily have to await the finishing out of

13 the entire pipeline length.

14 **MR. J. McELLI GOTT:** Is that correct, Ms. Lyden?

15 **MS. LYDEN:** It may be that that 12: 40

16 methodology may be chosen,

17 yes.

18 **INSPECTOR:** Do you have any further

19 questions for Ms. Lyden?

20 The gentleman at the back. Could we have your name 12: 41

21 again.

22 **MR. O' CONNOR:** Donal O'Connor, Tarbert.

23 Mr. Inspector, I just want

24 to comment there on the pipeline. Near Askeaton,

25 actually in Mil town North, the main pipeline which came 12: 41

26 on from Cork and runs to Galway and crosses the Shannon

27 at Foynes, that passed through that particular land,

28 and they are neighbours of mine, and just one growing

29 season was all they were upset for. I actually know

1 the secretary of the group that was in dealings with
2 the IFA and she informed me that they were very happy
3 with the way the job was done, with how quickly the
4 land was reinstated and even where fences were built on
5 land which had not fully settled, when they contacted 12: 42
6 the company they came back and the fences were rebuilt.
7 So that they were absolutely happy with the way the
8 land was left.

9
10 Another comment I would like to make there. There were 12: 42
11 question there a while ago about rendering some of the
12 land unusable for further industrial purposes. Now, my
13 late father, God rest him, sold some of the land on a
14 different block of land, which ran from Ardmore point
15 at Tarbert Island. That was bought in 1973 by a 12: 42
16 company called Petrotech, who were trying to develop an
17 oil refinery for Nigerian oil. It was to be an
18 exchange of cattle for oil at the time. That project
19 fell through and the land was sold on to Arran Energy.
20 Arran Energy kept it for 10, 12 or 15 years and got no 12: 42
21 project for it. It was sold by Arran Energy to
22 Statoil, who held it for another eight or ten years.
23 That, about four years ago, was sold to Airtricity, who
24 intended putting up turbines there. There was local
25 objection to the turbines and nothing else has ever 12: 43
26 happened.

27
28 That was about 350 acres of land all told. That land
29 has now been sold back to the farmers. So, there is no

1 shortage of land for development along the Shannon and
2 I can't see why the objections are to proposal to bring
3 in industry there. Because with the decline in farming
4 and in rural activity it seems to me to be the only way
5 forward. Thank you.

12: 43

6 **INSPECTOR:** Okay Mr. O' Connor.

7 Ms. Griffin?

8 **MS. GRIFFIN:** Ms. Lyden, page 14 of your
9 statement under the section

10 "Response to submissions to An Bord Pleanála
11 submissions L002, L015" at the final sentence you say:

12: 43

12 "There will not be a health risk from
13 the power lines."

14
15 Is that scientifically proven or is that your opinion? 12: 44

16 **MS. LYDEN:** The best information
17 available to the EU and the
18 International Commission on Non-Ionising Radiation
19 Protection, they produce guidelines based on this
20 information and power lines which are constructed,
21 designed, maintained etc., in compliance with these
22 guidelines do not represent a health risk.

12: 44

23 **MS. GRIFFIN:** Okay, thank you.

24 **INSPECTOR:** Mr. Fox?

25 **MR. FOX:** Mr. Inspector, page 11, the
26 power line connections.

12: 44

27 Ms. Lyden states that EirGrid will put down 7km of
28 overhead connection. Sorry, 5 overhead connection and
29 2 underground. The position that I have adopted in

1 relation to that all along is that they should be
2 underground, all of it. What I had in mind was, say,
3 for Piermonth Cross on the way out. Now, there may be
4 good technical reasons why that's not possible. But I
5 am more concerned about the visual impact. There are a 12: 45
6 lot of overhead pylons in Tarbert and if we put out
7 more pylons from Tarbert power station out to the
8 landbank, as I would call it, I am concerned about
9 future development. So I wonder where are the 2km
10 underground? 12: 45

11 **MS. LYDEN:** Mr. Inspector, my
12 understanding is that the
13 design hasn't been finalised yet.

14 **INSPECTOR:** So, what you have said is
15 as much as you know? 12: 45

16 **MS. LYDEN:** Yes.

17 **MR. FOX:** Can I just say one final
18 thing please,
19 Mr. Inspector. It just appears to me that there isn't
20 a technical reason why the cabling can't be 12: 46
21 underground. If you can put 2km underground you can
22 surely put 7km.

23 **INSPECTOR:** Okay, we take that. Now,
24 it is 12:45, I don't know
25 whether Mr. Lynch wishes to start his presentation now. 12: 46

26 **MR. E. LYNCH:** It is up to you
27 Mr. Inspector.

28 **INSPECTOR:** How long do you think it
29 will take?

1 MR. E. LYNCH: I would guess about 20
2 minutes, Mr. Inspector.
3 INSPECTOR: We will break for lunch now
4 then and we will try and
5 return at 1:45 please. 12: 46
6 MR. J. McELLI GOTT: Mr. Inspector, just a
7 quick.
8 INSPECTOR: Sorry, Mr. Sheehy.
9 MR. SHEEHY: I have spoken to our roads
10 people, Mr. Inspector. 12: 46
11 Just to confirm what Mr. O' Sullivan from Shannon
12 Development says is correct, that the road is not in
13 public ownership and while we have carried out work to
14 it that was under the terms of a Local Improvement
15 Scheme. So, the road is not a public road. 12: 47
16 INSPECTOR: How do you mean you did it
17 as part of a Local
18 Improvement Scheme? Was that a mistake?
19 MR. SHEEHY: No, a Local Improvement
20 Scheme is a scheme whereby 12: 47
21 private roads can be done up with assistance by the
22 Council and with a contribution from the developer --
23 sorry, with a contribution from the landowner. And it
24 was done under that scheme. But I can confirm that it
25 is not a public road. 12: 47
26 INSPECTOR: Thank you, Mr. Sheehy.
27 MR. J. McELLI GOTT: Mr. Inspector, just a quick
28 point. I got a request
29 from Patrick Kelly, a businessman of Tarbert, he is the

1 owner of Kelly's Meat Market and Auctioneer and he has
2 asked that the following be noted. Patrick Kelly says
3 Mike McElligott does not speak for all of the
4 businessmen in Tarbert. Mike McElligott's Tarbert
5 Chambers of Commerce is not democratically elected and 12: 47
6 they hold no mandate to speak on behalf of Patrick
7 Kelly. Thank you.

8 **MR. M. McELLI GOTT:** Mr. Inspector, can I
9 respond to that. You know,
10 if this is what the hearing is coming to it is being 12: 48
11 made a joke of. We held elections on November 6th for
12 the Tarbert Chamber of Commerce. I was re-elected as
13 Chairman. I do represent 90% of the business people in
14 Tarbert. Of course there is some people don't want to
15 join us, and that is okay. But, I mean, I do represent 12: 48
16 90% of the business people in Tarbert. I am the
17 Chairman, there was a democratic election. And, you
18 know, this has nothing to do with the planning
19 permission for LNG.

20 **MR. J. McELLI GOTT:** Is that Tarbert Chamber of 12: 48
21 Commerce recognised by the
22 All Island Chamber of Commerce.

23 **MR. M. McELLI GOTT:** Yes. I honestly don't know
24 why this line of
25 questioning would have anything to do with this. It is 12: 48
26 making a mockery of this.

27 **INSPECTOR:** It really has very little
28 to do with land use
29 planning.

1 MR. M. McELLI GOTT: Thank you Inspector.
2 THE CHAIRPERSON: Now we are going to break
3 for lunch and you are
4 getting an extra five minutes, so if you can be back by
5 1:50 please. 12: 49

6
7 LUNCHEON ADJOURNMENT

8
9 THE HEARING RESUMED AS FOLLOWS AFTER THE LUNCHEON
10 ADJOURNMENT. 13: 52

11
12
13 INSPECTOR: Good afternoon everybody
14 I am going to resume the
15 hearing so if you could take your seats. 13: 54

16 MR. J. FITZSIMONS: Thank you, Inspector.
17 INSPECTOR: I just want to say a brief
18 word, particularly to
19 yourselves. Just immediately after we broke this
20 morning I had a discussion with Mr. Johnny McElligott 13: 54
21 over at one of the poster boards on the window and we
22 were extensively photographed by the press and I just
23 wanted to reassure you that the sole purpose of the
24 discussion I had was to determine where
25 Mr. McElligott's ancestral home was, I think that's 13: 55
26 probably well known to yourselves.

27 MR. J. FITZSIMONS: I think it's particularly
28 well known to Mr. Power so
29 I don't think there is an issue in relation to that,

1 but thank you, Inspector, for that.

2 INSPECTOR: Okay, Mr. Lynch.

3
4 MR. LYNCH ADDRESSED THE ORAL HEARING AS FOLLOWS

5
6 MR. LYNCH: Okay, Mr. Inspector. This
7 is the response to the
8 submissions made by Mr. Michael Fitzsimons of the
9 Shannon Regional Fisheries Board, some issues that were
10 raised by Dr. Jervis Good and indeed by Mr. John
11 Brophy, the assistant Inspector. 13: 55

12
13 The following represents the responses to queries
14 raised and comments made in the submission by Michael
15 Fitzsimons. The company is sympathetic to the 13: 55
16 requirements for environmental protection and
17 appropriate monitoring, but would point out that the
18 appropriate statutory authority with respect to
19 emissions related monitoring and monitoring of the
20 external environment with respect to the residual 13: 55
21 impacts of those emissions is a sole function of the
22 EPA in consideration of the IPPC licence. This
23 separate process involves the Shannon Regional
24 Fisheries Board as a statutory consultee and many of
25 the issues will be properly addressed at and in that 13: 56
26 forum. Shannon Regional Fisheries Board will also have
27 a full input in the foreshore licence process and
28 related construction activities.
29

1 The submissions are now taken on a paragraph by
2 paragraph basis. With regard to the cover letter,
3 first page, third paragraph - consultation by
4 contractors with the Regional Fisheries Board during
5 construction phase.

13: 56

6
7 Many of the construction activities related to
8 foreshore licensable activities will be subject to the
9 due process associated with the acquisition of that
10 licence. Other construction activities relating to the 13: 56
11 on-shore facilities cannot be subjected to a Water
12 Pollution Act section 4 or 16 licensing process as they
13 are IPPC scheduled activities, but can be accommodated
14 by the Kerry County Council issuing instructions in a
15 section 12 or section 13 notice, WPA, to achieve the 13: 57
16 same effect. The company is happy to consult with the
17 Regional Fisheries Board on the relevant matters and
18 the project team are determined to ensure that the
19 construction activities will have a minimal and no
20 significant persistent impact on the biota. 13: 57

21
22 The inclusion of a condition that such consultation
23 must occur is accepted.

24
25 With regard to the cover letter, second page, second
26 paragraph - potential impingement of smolts and other
27 species on intake screens.

13: 57

28
29 The screen design is in accordance with best practice

1 and considerable scientific literature as to
2 appropriate design. The evidence is that if the intake
3 velocities are maintained at or below 0.3 to 0.5 metres
4 per second and with the very conservative mesh size
5 proposed, that such significant impingement is 13: 57
6 unlikely. This differs from the concerns that occur
7 with intakes in streams and rivers of small channel
8 widths and where the intake flows are a significant or
9 greater proportion of the total flow. The use of
10 ambient temperature seawater as a gasification energy 13: 58
11 source has been evaluated as the best practicable
12 environmental option without adverse environmental
13 impact.

14
15 The alternative fuel use of LNG has additional impacts 13: 58
16 of 1.5% increase in net energy consumption and the
17 concomitant discharge of CO₂ without a work energy
18 gain. Therefore, the least impactful solution is the
19 use of ambient seawater temperature which is also BAT
20 compliant for that reason. 13: 58

21
22 Cover letter, second page, fourth paragraph, impairment
23 of shellfish status.

24
25 The proposals do not cause any parameters specified in 13: 58
26 the Shellfish Directive and regulations to be acceded.

27
28 Riparian zones of 10 metres: Apart from the pond area
29 no permanent interference with the riparian zones is

1 proposed and the stream margins will continue in their
2 original state. Some minor works during the
3 construction phase will relate to stream crossing,
4 however protection measures such as silt traps,
5 hydrocarbon interceptors and good construction
6 management are designed to ensure that no impacts will
7 occur. Therefore, other than in limited locations and
8 times during construction the immediate banks of the
9 stream will not be subject to any activity. The
10 company is amenable to consult with the Shannon
11 Regional Fisheries Board in this matter.

13: 59

13: 59

12
13 The next deals with the assessment report, page 3,
14 Estuary. The Applicant reiterates that the intake
15 design corresponds to the best international experience
16 in avoidance of fish entrainment at the intake. Again
17 the choice of screen mesh size and intake velocity and
18 the relatively small volume involved lowers the risk to
19 being insignificant. It should be borne in mind that
20 other studies and other locations may not have
21 comparable intake measures or velocities and we would
22 respectfully suggest that the other studies mentioned
23 in the submission may not be comparable in terms of
24 location or equipment.

13: 59

13: 59

25
26 Page 4, Intake Velocity. The proposed intake velocity
27 will be a maximum of 0.5 metres per second in
28 accordance with fish avoidance experience and
29 capability. At this low velocity and proposed mesh

14: 00

1 size, damaging impingement potential is rated as being
2 minimal for all relevant species. Again comparability
3 is important as many other installations have screen
4 sizes as large as 25-50mm. We have not been presented
5 with any comparable evidence that the proposed screen 14: 00
6 size at this velocity can cause undue or unacceptable
7 impingement.

8
9 Page 4, second paragraph, Abstraction. An abstraction
10 order is not required in respect of any aspect of the 14: 00
11 proposed development. The Water Supplies Act 1942
12 provides for the taking of supplies of water by
13 sanitary authorities. The Water Services Act 2007
14 provides for the abstraction of water by water service
15 authorities. Accordingly, it is in the context of 14: 01
16 local Government law that an abstraction order is
17 required and not otherwise.

18
19 Page 4, second and third paragraph. Potential kill of
20 entrained planktonic forms and organic residues. 14: 01

21
22 The submission implies that a high level of kill will
23 occur in the intake and heat exchange system by
24 biocidal activity and temperature change.

25 14: 01
26 This is not correct. The 0.2 mg per litre is only
27 sufficient to prevent adhesion and biofouling in
28 conjunction with an inpipe velocity sufficient to
29 preclude attachment and minimise mortality which for

1 the example in the case of the mussel *Mytilus edulis*
2 would require a chlorine free concentration 40 times
3 larger at 8 milligrams per litre. Similarly the
4 temperature drop is not of sufficient magnitude or
5 duration to alter that profile and at lower temperature 14: 01
6 the toxicity is also greatly reduced. Because the
7 fraction of intake volume is so small relative to the
8 receiving environment, the kill rates and
9 re-entrainment would be immeasurably small even in
10 comparison with the tidal induced kill rate by beaching 14: 02
11 and re-entrainment of planktonic residues on a twice
12 daily basis.

13
14 Therefore, there is no net change in the organic
15 balance resultant on the proposal and no likely 14: 02
16 significant impact results. There would be no organic
17 waste generated within the system.

18
19 Page 4, third and fourth paragraphs, Gasification: We
20 simply state that this assertion is not correct and the 14: 02
21 submission overlooks the net energy and CO₂ cost versus
22 a system with no likely significant impacts. A study
23 was undertaken to determine the most appropriate
24 regasification technology for the Shannon LNG Terminal.
25 A number of regasification technology options were 14: 02
26 considered. These are described in section 2.5.3 of
27 the EIS and section 3.1.3 of Ian Vinecombe's evidence
28 to the hearing. The advantages and disadvantages of
29 each system are described in the EIS.

1
2 The hybrid sea water/fired heater system was chosen
3 because it results in much lower greenhouse gas
4 emissions than other options, offers exceptional
5 reliability, good process control and turndown
6 capability. The assessment presented in the EIS in
7 chapter 11 of volume 2 and the evidence given to this
8 hearing is that there will not be a significant impact
9 on the estuary from the chosen system. In particular:

14: 03

10
11 There will not be a perceptible loss of life forms in
12 the water column; there will be minimal risk to fish by
13 impingement on the intake screens, or damage to the
14 habitat or impairment of juvenile fish recruitment;
15 there will be negligible impact on the food web due to
16 water abstraction; the chlorine biocide will not have a
17 negative impact; the cold water plume will not have a
18 negative impact; there will be no need to monitor to
19 effects of the plume as these are expected to be
20 negligible; There will be no uncertainty about the
21 effects on the estuary; the project is sustainable and
22 in compliance with the requirements of the Water
23 Framework Directive. The chosen system minimises the
24 amount of gas consumed.

14: 03

14: 03

14: 03

25
26 Page 5, Freshwater.

14: 04

27
28 1. Loss of habitat. The project in fact involves a
29 significant gain in terms of colonisable pond volume

1 which provides enhanced fish habitat of a diversified
2 nature and provides reservoir capacity which can
3 provide compensation flow in drought conditions.
4

5 The existing stream is not a salmonid fishery and no 14: 04
6 migratory species were encountered. The proposal does
7 not impact on the Q rating or overall bioproductivity
8 of the system, but with the addition of the pond will
9 enhance and diversify the habitat and inevitably lead
10 to a higher level of biomass production. 14: 04

11
12 The stream was not 'written off' as of no importance,
13 but its status was factually stated. The proposals
14 enhance the ecological value of the system without
15 impairing current species. Elver migration is not 14: 05
16 impaired and Elver migration over wet vegetation, banks
17 etc. and subsequent downstream migration of maturing
18 yellow eels is well described in the literature. The
19 maintenance of a compensation flow system and pond
20 throughflow system ensures that the pond is in 14: 05
21 hydraulic continuity with the stream system.
22

23 2. Description of bond and bypass stream design. To
24 achieve the combination of having a pond capacity
25 without impacting on available stream channel the 14: 05
26 following scheme is proposed.
27

28 The pond will be constructed as previously described in
29 the EIS, but with the proposed addition of a channel

1 constructed on the periphery with artificial grykes or
2 groins created for gravel retention and provide riffle
3 areas for colonisation by instars of macro
4 invertebrates, oxygenation and hydraulic continuity
5 with the upstream and downstream portion of the
6 original channel.

14: 05

7
8 The 'new' channel section would only have to carry the
9 equivalent flow to the dry weather flow, between five
10 to ten litres per second, and this equates to a maximum
11 flow of approximately 36 cubic metres per hour.

14: 06

12 **INSPECTOR:** Sorry, Mr. Lynch, could
13 I just stop you there.

14 Would you have a draw of this drawing of this proposal
15 or could you produce a drawing?

14: 06

16 **MR. LYNCH:** We could produce a hand
17 drawn sketch,

18 Mr. Inspector, if that's helpful.

19 **INSPECTOR:** Thank you.

20 **MR. LYNCH:** It is proposed that this
21 channel can be effectively
22 constructed from half round or box pipe sections of
23 approximately 600 to 800 millimetres diameter.

14: 06

24
25 Inlet to the new stream channel. The new channel would
26 be fed at the upper end by a weir which would direct
27 all flow 10 litres per second or less down the channel
28 and away from the pond inlet weir. Similarly the box
29 or Sutor type weir inlet to the new channel would

14: 06

1 restrict the maximum flow to the new channel to prevent
2 flooding and scouring.

3
4 Outlet from the new stream channel. The new channel
5 terminates in a ladder comprising a set of artificial
6 substrate covered steps down to the original channel
7 invert level. This would be similar to the type of
8 facility available at Parteen and Ardnacrusha on the
9 Shannon system and provides for elver migration if such
10 were to occur.

14: 06

14: 07

11
12 Benefits of the scheme: The advantages of this system
13 are that the rifle area is maintained as is oxygenation
14 and the passive flow control is such that the twice the
15 DWF flow is exclusively available for maintaining the
16 natural drainage upstream and downstream and only at
17 higher flows is the pond in hydraulic continuity with
18 the stream.

14: 07

19
20 This proposed design also ensures that the new channel
21 is protected from excess flows and scouring while
22 maintaining a migratory path for elvers and migrating
23 yellow eels returning downstream.

14: 07

24
25 Therefore the construction of the pond results in a
26 significant gain of diversified habitat without the
27 loss of connecting stream rifle area or migratory path.
28 The proposed pond with a new bypass channel with riffle
29 zones replaces the lost stream section and maintains

14: 07

1 the connection between the upstream and downstream
2 sections.

3
4 DWF flow. There will be no filling of the pond during
5 DWF conditions. DWF is calculated at approximately 5 14: 08
6 litres per second whereas the compensation flow is
7 proposed to be approximately 10 litres per second. The
8 pond will be filled and level maintained by essentially
9 winter or long-term average flows which was otherwise
10 discharged from the system. Once the initial hydrotest 14: 08
11 are completed, the purpose of the pond is primarily for
12 fire protection. The pond will become a naturalised
13 addition to the habitat available in a short space of
14 time, but will provide an additional protection for the
15 system and refuge during drought conditions that is not 14: 08
16 currently available.

17
18 Page 6, No. 3, liability for upstream derived
19 pollutants. The company cannot be held responsible for
20 pollution originating upstream of the site. The 14: 08
21 company will under the IPPC licence have liability to
22 ensure that their activities are compliance with the
23 IPPC conditions and shall not cause environmental
24 damage.

25 14: 09
26 Page 6, No. 4, applicability of SUDS. The SUDS
27 approach is relevant for urban or industrial
28 developments where the combined desirability of
29 groundwater recharge and mitigation or prevention of

1 flooding in the receiving system is required. This
2 project has incorporated all of the protective measures
3 such as silt and hydrocarbon traps associated with the
4 protection of water quality and implemented with SUDS.
5 However, there is no net gain to a full implementation 14: 09
6 of a SUDS based infiltration system which in this case
7 would only provide another potential risk point.

8
9 The net area of aquifer down gradient of the site is
10 very small prior to the discharge to the estuary 14: 09
11 whereas the recharge from up-gradient is very large by
12 comparison. It should be noted that groundwater from
13 the terrace on which the tanks will be located will
14 discharge to the estuary via the silt and hydrocarbon
15 traps and not to the stream. 14: 09

16
17 Page 6 and 7, construction phase.

18
19 1. Surface water. The design of the silt traps
20 retention ponds is to achieve the effect desired by the 14: 10
21 Shannon Regional Fisheries Board and the system will
22 also be protected by hydrocarbon traps and
23 interceptors.

24
25 As stated in the response to the cover letter issues, 14: 10
26 it is more appropriate that the construction phase
27 control of surface water discharges be dealt with
28 statutorily at the discretion of Kerry County Council
29 by a notice under section 12 or section 13 of the Water

1 Pollution Act as the section 4 or 16 licensing of an
2 IPPC scheduled activity is not permitted. This can
3 specify the required protection measures and discharge
4 standards until the commencement date of the IPPC
5 provisions.

14: 10

6
7 2. Riparian zone. As stated above the company is
8 agreeable to consult with the Shannon Regional
9 Fisheries Board on the matter and to provide the
10 contractor's method statements for those aspects not
11 covered by another statutory process.

14: 10

12
13 3. Post construction restoration. This is in
14 accordance with what is proposed.

14: 11

15
16 4. Construction phase sampling points. Shannon LNG is
17 in agreement that these be specified. However, the
18 appropriate authority would be Kerry County Council in
19 discharge of their functions under the Water Pollution
20 Act and as suggested above they may wish to specify
21 these under a section 12 or section 13 notice or
22 otherwise as they see fit.

14: 11

23
24 5. Consultation. This is as specified in No. 2 above.

14: 11

25
26 6. Bridge clearance. It is presumed that this refers
27 to small mammals and is agreed on that basis. The
28 bridge free will be spanning over the stream.

1 7. Operational phase, page 7 question 7 and page 8
2 question 1 to question 4 and page 9 question 5. All
3 these matters will be the subject of consideration by
4 the EPA in the determination of the IPPC licence as
5 they relate to operational emissions and monitoring of 14: 11
6 operational emissions. Notwithstanding this, as the
7 evidence given to the hearing indicates, negative
8 effects on the fisheries in the estuary or freshwater
9 stream are not anticipated. Shannon LNG will implement
10 mitigation measures or monitoring conditions required 14: 12
11 by the EPA by condition in the IPPC licence. We note
12 that the Shannon Regional Fisheries Board will be a
13 consultee of the EPA in determining the IPPC licence.
14

15 Page 9, 'other concerns'. 14: 12
16

17 1. Potential presence of contaminants in LNG as a
18 result of upstream conditions. The response is:
19 Natural gas may have other constituents present in the
20 inlet stream. Natural gas is treated at the inlet side 14: 12
21 of the liquefaction plant prior to the being processed
22 into LNG and before being shipped from the exporting
23 country. Consequently no treatment is required at the
24 regasification terminal.
25

26 2. Potential presence of radionuclides or
27 radioisotopes in the gas. Response: The technical
28 guidance report of the HM Pollution Directorate does
29 not apply to regasification terminals such as the

1 Shannon LNG Terminal .

2
3 3. Concern over potential waste products associated
4 with LNG. Response: There will be no waste
5 by-products arising from the storage or regasification 14: 13
6 operations at the Shannon LNG facility. Again we would
7 note the HM Inspectorate note applies to upstream gas
8 production treatment and covers processes which are
9 unnecessary at LNG terminals because of the purity of
10 the product. 14: 13

11
12 4, page 9. The potential risk of importation of alien
13 species in build or ballast water in the LNG ships. As
14 stated by Mr. Blair MacIntyre in his evidence no build
15 or ballast water will be discharged into the estuary by 14: 13
16 the LNG ships.

17
18 That brings me to our response to the issues raised by
19 Dr. Jervis Good of the National Parks and Wildlife
20 Service. The first is in relation to the pond and the 14: 13
21 bypass stream design. Please refer to our response
22 given to the Shannon Regional Fisheries Board above,
23 specifically page 4 of 14 entitled No. 2 description of
24 pond and bypass stream design.

25 14: 14
26 Issue 2 re the submission by the Department of the
27 Environment, Heritage and Local Government at the
28 Shannon LNG Oral Hearing, 28 January, submission L51 by
29 Cian O'Liain. Further information is required on the

1 effects of the proposed jetties on dispersal of
2 regularly occurring migratory bird species between
3 Ballylongford Bay and Tarbert Bay. A literature survey
4 is required on the subject of whether the jetty will
5 have an impact on the movement of birds between 14: 14
6 Ballylongford Bay and Tarbert Bay parts of the River
7 Shannon and Fergus Estuary SPA.

8
9 Response: As explained by Mr. Carl Dixon, six winter
10 bird counts were carried out during 2006 and 2007 to 14: 14
11 determine bird usage of the site on the section of the
12 estuary which adjoins the site. This is referred to in
13 the EIS volume 4 appendix 10E. Although the River
14 Shannon and Fergus Estuary SPA supports internationally
15 important concentrations of wildfowl and waders, no 14: 15
16 significant concentrations of divers, grebes or ducks
17 were recorded in the inshore waters bordering the
18 proposed site. The majority of divers and grebes were
19 found offshore from an area where no development is
20 planned. Reference EIS volume 4 appendix 10 E section 14: 15
21 2.

22
23 Similarly, no significant high tide roost was found
24 within the site and the area did not support large
25 numbers of feeding wildfowl or waders. There was no 14: 15
26 indication of significant movements of birds along the
27 coast between Ballylongford Bay and Tarbert Bay
28 recorded during the extensive winter bird surveys. Any
29 such bird movements would be unlikely to be

1 significantly affected by the presence of the proposed
2 jetties as birds are unlikely to have any significant
3 problems in flying around or over them.

4
5 Notwithstanding this, Shannon LNG will undertake a
6 literature survey to determine if any such effect to
7 bird movements by jetty structures have been recorded.

14: 15

8
9 Issue No. 3 raised by Dr. Jervis Good in reference to
10 the submission from the Department, i.e. Cian
11 O'Li onáin.

14: 16

12
13 *"Effects on the marine ecology. It is likely that the*
14 *impacts of all these activities are likely to be low to*
15 *moderate and in most instances the prospect for*
16 *recovery of the site is very high. The overall impact*
17 *of the proposed development is unlikely to have a*
18 *significant impact on the conservation interests of the*
19 *designated sites. However, we recommend that the*
20 *following conditions should be attached to any grant of*
21 *permission that may issue for the proposed development.*

14: 16

22 *We recommend that the following information is*
23 *submitted and duly evaluated by both An Bord Pleanála*
24 *and this office before any decision is made on this*
25 *application. An estimate is required of the numbers of*
26 *adult fish and macro crustaceans that may be expected*
27 *to be killed on the filter screens of the water intake,*
28 *as a proportion of the fish population available to*
29 *fish eating fauna in the adjacent part of the candidate*

14: 16

14: 16

1 SAC. "

2
3 Response: Section 4.3, pages 22 to 26 of the statement
4 of evidence of Stiofán Creavan, reference 8 page 2,
5 deals in part with this issue. Refer specifically to 14: 17
6 the final paragraph on page 24 and page 25.
7

8 I would just like to restate that the Shannon Regional
9 Fisheries Board will be a consultee of the EPA in
10 determining the IPPC licence and Shannon LNG will 14: 17
11 implement mitigation measures and monitoring conditions
12 required by the EPA by condition of the IPPC licence.
13

14 Additionally, the following text is presented in order
15 to expand on and clarify information already contained 14: 17
16 in the statement. The intake structure and system of
17 rotating wire mesh screens with a maximum intake
18 velocity of 0.5 m/s proposed for the proposed
19 development have been designed in line with Best
20 Available Techniques or BAT to minimise the potential 14: 18
21 for impingement of adult fish on the filter screens.
22 Intake velocities of heat exchange systems generally
23 vary between 0.5 metres per second, which is just under
24 one knot, and six metres per second or about 12 knots.
25 The proposed intake velocity is obviously at the lower 14: 18
26 end of the scale. Fish over 20 centimetres are often
27 observed swimming in and out of intake areas searching
28 for food. Fish over 10-15 centimetres long should be
29 able to evade intake currents specified for the

1 proposed facility.

2
3 In examining fish impingement at estuarine power
4 stations and its significance to commercial fish,
5 Turnpenny (1988) found that when fish killed on intake 14: 18
6 screens were considered in terms of the fraction of the
7 reproductive potential of a single adult at maturity,
8 the catches by power stations were trivial in
9 comparison with commercial landings. Thus the impact
10 on local fish populations were found to be 14: 18
11 insignificant.

12
13 An article appearing in British Wildlife magazine was
14 referred to in the submission of Dr. Jervis Good that
15 included a reference, and the full specific reference 14: 19
16 is not available at this time, to data on impingement
17 entrainment figures quoted for the Fawley Power Station
18 on Southampton Water, England. The main substance of
19 this reference was that very high numbers of animals
20 were affected by impingement entrainment with 14: 19
21 associated deleterious effects on fish populations.

22
23 The conclusion reached by Dempsey for the same facility
24 stated that:

25 "The Fawley Power Station does not 14: 19
26 significantly affect local fish
27 populations."

28 His estimates examined the worst case scenario assuming
29 100% mortality of juvenile fish, larvae and eggs. In

1 the final paragraphs of the discussion of his paper he
2 goes on to say:

3 "All these estimates of losses have
4 taken the worst case where all
5 entrained eggs and larvae are assumed
6 to have been killed by passage through
7 the cooling system. Although it is
8 likely that a proportion of larvae will
9 be killed by mechanical stress and
10 mechanical fluctuations, eggs and
11 larvae of more robust species can pass
12 through the cooling system without
13 mortality. Applying this effect to
14 estimates will further reduce the real
15 effect of larval fish entrainment."

14: 19

14: 20

11 The paper concluded that the impact on local fish
12 populations was insignificant.

13
14 The size of the whole habitat that must be considered
15 when assessing fish populations often makes sampling
16 and population estimates impractical if not impossible.
17 The total effects of losses from impingement and
18 entrainment of water intakes have been the subject of
19 much speculation and mathematical population models
20 have been used to try to assess the impacts on various
21 species. The marked fluctuations in reproductive
22 success and survival of organisms from year to year
23 makes predictions of limited use unless stocks are
24 assessed annually which for a site as extensive as the
25 Shannon Estuary creates obviously practicality and cost
26 issues.

14: 20

14: 20

14: 20

27
28 There is evidence that the currently accepted escape
29 velocity criterion for salmonid smolts underestimates

1 their true swimming capability and may lead to
2 excessive costs in providing screening structures. It
3 is important that these are kept under review that so
4 costs to operators are not unnecessary burdensome. It
5 would not be reasonably practicable to address the
6 above submission in the context of this EIS without a
7 reasonable timescale and at a reasonable cost to the
8 developer for the following reasons:

14: 21

10 Detailed stock information on fish populations and
11 their variation over time in the Shannon Estuary is not
12 currently available. Gathering this information would
13 require an extensive (at several sites in the Shannon
14 Estuary) and intensive, in terms of sampling effort
15 study, over a relatively long timescale, a suggested
16 minimum of 10 years, to begin to build an adequate
17 picture of fish population dynamics in the region;

14: 21

14: 21

18
19 The same applies for macrocrustacean populations;
20 It is not known what fish species or macrocrustacean
21 populations are consumed by fish eating fauna with the
22 estuary, birds, cetaceans, fish, anemones; it is not
23 known how much fish, macrocrustacean populations of
24 various size classes are consumed by fish eating fauna
25 in the estuary; it is not known at what life stage size
26 fish of the various species present in the Shannon
27 Estuary become available as prey items in the diets of
28 the various fish eating fauna belonging to various
29 animal groups, nor what factors govern consumption

14: 21

14: 22

1 levels or predation success on the various fish species
2 present; the same applies for macrocrustacean
3 populations; it is not known how many of the fish in
4 the part of the candidate SAC adjacent to the proposed
5 development site are available as prey to fish eating
6 fauna.

14: 22

7
8 It should be noted that both ESB power stations at
9 Moneypoint and Tarbert have been granted IPPC licences
10 by the EPA. Various other power stations also using
11 cooling abstraction systems such as Aghada in Cork
12 Harbour and Poolbeg and Synergen in Dublin Bay have
13 been granted IPPC licences. The EPA is bound by
14 legislation to grant an IPPC licence only if there will
15 not be a significant effect on the environment and that
16 it complies with BAT. As stated in the EIS Shannon LNG
17 will be carrying out ongoing physiochemical and biotic
18 monitoring in the adjacent environment.

14: 22

14: 23

19
20 Then we have got the references which I will take as
21 read, Mr. Inspector, which brings me on to our response
22 to the issues raised by Mr. John Brophy. In relation
23 to badger sett No. 1, which is located outside the
24 eastern boundary of this site, the following apply:

14: 23

25
26 Based on the results of initial surveys of this area,
27 sett No. 1, and also based on the presence of paths
28 close to the eastern boundary, it appears that this is
29 a relatively large social group. Current evidence

14: 23

1 suggests that most of the territory of the social group
2 is located outside the development site boundary.
3 Based on the initial surveys, different parts of the
4 sett of this social group are probably spread over
5 quite a large area which includes scrub and areas of
6 coniferous forestry.

14: 24

8 Initial studies at the site were affected by dry
9 weather and possible disturbance due to a clearance of
10 part of the site by a local landowner. It was noted in
11 the EIS that further surveys would be carried out to
12 more accurately determine the distribution of social
13 groups and setts within the site and adjacent to the
14 site where it is possible to do so.

14: 24

16 It is proposed that as part of ongoing studies at the
17 site, which may include bait marking surveys and
18 possible trapping and retrapping methods, the areas of
19 sett 1 which could potentially be affected by the
20 blasting and land clearance operation will be mapped.
21 In particular active setts within 150 metres of
22 blasting activity and 50 metres of general activity
23 will be mapped.

14: 24

14: 24

25 Where surveys indicate, as expected, that part of sett
26 1 is located outside the area to be affected by works
27 at the site, it is proposed that badgers will be
28 displaced to that unaffected part of the sett. This
29 will be subject to agreement with the landowner. It is

14: 24

1 noted that under this methodology the badger social
2 group will occupy the same territory and therefore the
3 risk of displacing badgers with TB to new areas is
4 minimal.

14: 25

6 Where surveys indicate that all of the setts belonging
7 to the social group will be affected an artificial sett
8 will be provided as close as possible to the sett
9 either within the land area or in an area owned by
10 another landowner in reasonable proximity to the sett.
11 This is subject to the agreement with landowners.

14: 25

13 Where this is not possible attempts will be made to
14 display badgers to an artificial sett within the
15 development land bank.

14: 25

17 Where none of the above are feasible, consideration
18 will be given to trapping badgers and removing them to
19 unoccupied habitat. Such habitat does exist on islands
20 within the Shannon Estuary which currently do not
21 support badgers.

14: 25

23 It is noted that badgers can potentially act as a
24 reservoir for TB infection. Therefore, some discussion
25 with the Department of Agriculture is recommended.

14: 25

27 The NRA guidelines notes that works closer to active
28 setts may take place during the breeding season
29 provided appropriate mitigation measures are in place,

1 for example sett screening, restricted working hours
2 etc. It also notes that closure of setts during the
3 breeding season would require monitoring to demonstrate
4 no sett activity. All works which could potentially
5 affect badgers will only be carried out following
6 consultation with the National Parks and Wildlife
7 Service and under licence and that concludes the
8 response, Mr. Inspector.
9

14: 26

10 END OF SUBMISSION OF MR. LYNCH
11

14: 26

12 INSPECTOR: Thank you, Mr. Lynch. I am
13 not going to open that up
14 to everybody because it is a direct response to two
15 submissions, but I did want to ask one thing. You are
16 saying that the pond will be a reservoir for additional
17 fauna such as sticklebacks and that sort of thing, what
18 happens when you drain it to test the tanks, is there
19 still some residual pond volume left?

14: 26

20 MR. LYNCH: Yes, Mr. Inspector. The
21 volume of the pond is
22 designed to accommodate that. The volume is 150 to
23 160,000 cubic metres. The requirement for hydrotest
24 water is 110 cubic metres so there would be in the
25 order of 50,000 cubic metres left.

14: 27

14: 27

26 INSPECTOR: That's fine, that's answers
27 that.

28 MR. LYNCH: Just one matter that
29 I should have said is that

1 we would like to introduce the maps that you requested
2 yesterday, Mr. Inspector, regarding the alternative or
3 the possible alternative configuration of the
4 administration site entrance. (SAME HANDED)

5 **INSPECTOR:** Okay. I am now going to -- 14: 28
6 sorry.

7 **MR. SHEEHY:** Mr. Inspector, if we could
8 just request clarification
9 on one item of Mr. Lynch's evidence there, would that
10 be appropriate. 14: 28

11 **INSPECTOR:** Yes.

12 **MR. SHEEHY:** I might pass it over to
13 Vincent Hayes who is our
14 environmental officer.

15 **MR. HAYES:** I wonder could Mr. Lynch 14: 28
16 elaborate on page 1, cover
17 letter the first paragraph page 3. My understanding
18 from the opening remarks of the Inspector is that the
19 operation facility will be under the control and
20 licensed by IPPC licence. In relation to the 14: 28
21 development and the clearance and construction phase of
22 the development, are you stating that there will
23 actually be no active discharge from the site?

24 **MR. LYNCH:** The only discharge from the
25 site during the 14: 29
26 construction phase, Mr. Inspector, will be that arising
27 from surface water runoff and as we described in the
28 EIS and in my statement that there will be very
29 carefully controlled with silt traps settlement ponds

1 to control the quality of the water before it goes into
2 the estuary.

3 **MR. HAYES:** Mr. Inspector, in relation
4 to section 4 of the Water
5 Pollution Act any discharge of trade effluent to waters 14: 29
6 that is contaminated by anything as a result of the
7 business requires a licence under section 4 of the
8 Water Pollution Act so it's my opinion that a licence
9 under section 4 of the Water Pollution Acts '77 will
10 actually be required for this development if it goes 14: 29
11 ahead.

12
13 Reference is also made to that particular query on page
14 6, the construction phase and the construction phase
15 sampling points, so it would be my opinion that a 14: 30
16 licence would be required under the Water Pollution Act
17 irrespective of what treatment they actually afforded
18 and that degree of treatment would have to be a
19 standard which will be acceptable not only to Kerry
20 County Council but to the Shannon Regional Fisheries 14: 30
21 Board and to the Central Regional Fisheries Board and
22 the Department of the Marine who we are statutorily
23 obliged to consult with.

24 **MR. LYNCH:** We will of course comply
25 with such licence 14: 30
26 requirements, Inspector.

27 **INSPECTOR:** Mr. O'Neill, does that
28 complete your submission?

29 **MR. O'NEILL:** That concludes our

1 presentation, Sir, yes.
2 INSPECTOR: Okay. I am now going to
3 call on the Planning
4 Authority to present their case and conditions that
5 they are recommending. 14: 31
6 MR. SHEEHY: Mr. Inspector, the Planning
7 Authority's submission is
8 as per the Manager's report submitted to the Board, do
9 you require that I read the entire Manager's report or
10 maybe the conclusions and the recommended conditions. 14: 31
11 INSPECTOR: I think the conclusions and
12 recommended conditions
13 would be sufficient.
14
15 MR. SHEEHY ADDRESSED THE ORAL HEARING AS FOLLOWS 14: 31
16
17 MR. SHEEHY: Section 6 so,
18 Mr. Inspector, conclusion
19 and Manager's recommendations. It is considered that
20 the proposed development is of major strategic 14: 31
21 importance nationally. Security of energy supply,
22 depleting alternative sources, increasing demand and
23 increased competition among gas suppliers are all
24 relevant factors in assessing the need for this
25 project. Displacement of alternative fossil fuels such 14: 32
26 as coal and oil will reduce emissions and contribute to
27 Kyoto protocol targets.
28
29 The application has been accompanied by an EIS which

1 has been prepared in accordance with all statutory
2 requirements. It is considered that a clear
3 justification for the project has been provided. The
4 EIS addresses clearly the proposed alternatives
5 regarding choosing the site, location of tanks and the 14: 32
6 proposed technology to be utilised. The proposed site
7 is zoned for industrial development with clear
8 objectives contained in the Kerry County Development
9 Plan 2003-2009 regarding this zoning provision. It is
10 considered that in accordance with the provisions of 14: 32
11 the plan that industrial development on this site is in
12 accordance with the proper planning and sustainable
13 development of the area.

14
15 There are currently infrastructural deficits associated 14: 32
16 with the site. These have been addressed in the body
17 of the report. It is considered that should permission
18 for this development be granted that this
19 infrastructural deficit can be addressed and the
20 infrastructure brought to the necessary standard. 14: 32

21 While the proposed development is subject to IPPC
22 licensing by the EPA, it is considered that emissions
23 from the site will not be such as cannot be addressed
24 by conditions through the licensing procedure. While
25 there is significant visual impact from certain 14: 33
26 locations, the landscape in which it is situated,
27 however, is not highly sensitive or scenic. There is a
28 precedence of other development of significant scale in
29 the vicinity, the image value of the estuary will not

1 be altered and the proposed development is not located
2 on land with an amenity designation, rather it is zoned
3 industrial. While visible from locations designated as
4 Views and Prospects, it is considered that the
5 development does not have a significant impact on these 14: 33
6 designations. The Planning Authority considers that
7 the mitigation measures proposed, while not to any
8 extent screening the development, have given
9 consideration to landscape and visual impact issues
10 from site selection stage through to the tank design 14: 33
11 and construction stage. It is considered that the
12 proposed development will not have significant residual
13 residential amenity impacts on proximate residents.
14 Similarly, subject to on-site investigation, it is
15 considered that the appropriate development will not 14: 34
16 have significant residual impacts on archaeological,
17 architectural or cultural heritage of the area. In
18 considering human beings, it is considered that the
19 positive benefit has significant potential for positive
20 benefit on human beings and the wider xhupt. It is 14: 34
21 also considered that the development will have a
22 positive impact on material assets in the area through
23 improved infrastructural provision.

24
25 Based on the information supplied and subject to the 14: 34
26 independent assessment of issues relating to ecology,
27 soils, geology and hydrogeology, it is the
28 recommendation of the Manager that permission for the
29 proposed development should be granted subject to the

1 conditions listed in section 5.15.1 below.

2
3 So I will proceed on to page 30 and read the schedule
4 of recommended conditions. The development shall be
5 carried out in accordance with the plans and
6 particulars including the EIS received on 24 September
7 and incorporate all mitigation measures as listed
8 therein except where altered by condition below.

14: 34

9 **Reason: In the interests of orderly development.**

10
11 Before the development is commenced, the developer
12 shall lodge with the Planning Authority a bond in the
13 sum of €5 million coupled with an agreement to empower
14 the Planning Authority to apply such security or part
15 thereof to the satisfactory completion of any part of
16 the development. Such bond will be increased from
17 1 January 2008 and annually thereafter in line with the
18 Wholesale Price Index for Capital Goods, Building and
19 Construction as published by the Central Statistics
20 Office to the value pertaining at the time of payment
21 and shall be from an approved financial institution as
22 may be acceptable to the Planning Authority to secure
23 the provision and the satisfactory completion of
24 maintenance of roads, footpaths, water supply, foul
25 sewer, effluent plant and drainage required in
26 connection with the proposed development. The bond
27 shall remain in place for a period of 17 years from the
28 date of grant of permission or until such time as the
29 development has been completed to the satisfaction of

14: 35

14: 35

14: 35

14: 35

1 the Planning Authority in accordance with the
2 conditions of the planning permission grant, whichever
3 is the sooner. Reason: In accordance to secure the
4 satisfactory completion of the development or in the
5 absence of completion the satisfactory remedial
6 reinstatement.

14: 36

7
8 Pre-development archaeological testing as previously
9 agreed should be carried out across the proposed
10 development site prior to construction. The testing
11 strategy should be agreed with the National Monuments
12 Service, the DoEHLG as part of the archaeological
13 licensing process. Targeted archaeological testing
14 around the ringfort Ke003 004 will be required to
15 confirm the extent of the monument prior to the placing
16 of a 20 metre buffer zone. Targeted testing of the
17 anomalies identified in geophysical assessment must
18 also be undertaken. Reports on these archaeological
19 works should be submitted to the planning department of
20 Kerry County Council, the Kerry County Archaeologist
21 and the National Monuments Service. Should significant
22 archaeological remains be uncovered during the
23 archaeological testing, further mitigation, full
24 excavation and/or avoidance through redesign may be
25 required. Reason: To ensure the continued
26 preservation of places, caves, sites, features or other
27 objects of archaeological interest.

14: 36

14: 36

14: 36

14: 37

28
29 Prior to the commencement of development, the developer

1 shall pay a contribution of €155,280 to Kerry County
2 Council Planning Authority in respect of public water
3 infrastructure and facilities benefitting the
4 development. The amount of this contribution is
5 calculated in accordance with the Council's prevailing 14: 37
6 Development Contribution Scheme and will be increased
7 from 1 January 2008 and annually thereafter (unless
8 previously discharged) in line with the Wholesale Price
9 Index for Capital Goods, Building and Construction as
10 published by the Central Statistics Office until the 14: 37
11 scheme is superseded by a further development
12 contribution scheme adopted by the Council.

13
14 Reason: It is considered appropriate that the
15 developer should contribute towards the cost of public 14: 37
16 infrastructure and facilities benefitting the
17 development, as provided for in the Council's
18 prevailing Development Contribution Scheme made in
19 accordance with section 48 of the 2000 Planning and
20 Development Act and that level of contribution payable 14: 38
21 should increase at a rate in the manner specified in
22 that scheme.

23
24 Prior to the commencement of development, the developer
25 shall pay a contribution of €83,566 to Kerry County 14: 38
26 Council, the Planning Authority, in respect of amenity
27 facilities. The amount of this contribution is
28 calculated in accordance with the Council's prevailing
29 Development Contribution Scheme and will be increased

1 January 1, 2008 and annually thereafter (unless
2 previously discharged) in line with the Wholesale Price
3 Index for Capital Goods, Building and Construction, as
4 published by the Central Statistics Office unless the
5 scheme is superseded by a further Development

14: 38

6 Contribution Scheme adopted by the Council. Reason:
7 It is considered appropriate that the developer should
8 contribute towards the cost of public infrastructure
9 and facilities benefitting the development as provided
10 for in the Council's prevailing Development
11 Contribution Scheme made in accordance with section 48
12 of the 2000 Planning and Development Act and that the
13 level of contribution payable should increase at a rate
14 in the manner specified in that scheme.

14: 38

15
16 Prior to the commencement of development, the developer
17 shall pay a contribution of €7,200,000 to Kerry County
18 Council, the Planning Authority, in respect of public
19 infrastructure and facilities benefitting the proposed
20 development, as a special contribution within the
21 meaning of section 48(2)(c) of the Planning and
22 Development Act 2000 towards the cost of implementation
23 of the following schedule of works.

14: 39

14: 39

24
25 Proposed infrastructure and facilities: Upgrading the
26 public water infrastructure serving the site from a 50
27 millimetre main to 150mm class C watermain, €490,000;
28 provision of 110,000 for the provision of specialist
29 firefighting equipment and specialist training for the

14: 39

1 fire service, breaking down as training, €80,000,
2 equipment €30,000; upgrading and widening the local
3 L1010 to the standard required to facilitate the
4 project, €6 million; upgrading footpaths and road
5 surface of Bridewell Street, Tarbert and the
6 development of an off-street car park, €600,000;
7 junction improvements at the R551 junction with the
8 L1010, 50,000 totalling 7.25 million.

14: 40

10 In the event of this infrastructure, being the
11 6 million for the upgrading of widening, in the event
12 of this infrastructure benefitting subsequent
13 developments, contributions arising shall be
14 apportioned to each development. While the entire
15 contribution is payable as the works are immediately
16 required for the current development, on completion of
17 subsequent developments the current developer shall
18 receive the benefit of development contributions as
19 apportioned.

14: 40

14: 40

20
21 The amount of this contribution will be increased from
22 1 January 2008 and annually thereafter (unless
23 previously discharged) in line with the Wholesale Price
24 Index for Capital Goods, Building and Construction as
25 published by the Central Statistics Office. **Reason:**
26 It is considered appropriate that the developer shall
27 contribute towards the cost of public infrastructural
28 facilities benefitting the development in accordance
29 with the provisions of section 48 of the Planning and

14: 40

14: 40

1 Development Act 2000.

2
3 Prior to the commencement of development, the developer
4 shall prepare an Annual Community Contribution Scheme.

5 It is envisaged that any fund arising from this scheme 14: 41

6 will be administered by Kerry County Council for the

7 benefit of the local community. The amount of this

8 contribution has been 200,000 per annum and shall be

9 increased annually on January 1 in line with the

10 Wholesale Price Index For Capital Goods, Building and 14: 41

11 Construction as published by the Central Statistics

12 Office. The initial payment to this scheme shall be at

13 the commencement of construction. Reason: It is

14 considered appropriate that the developer shall

15 contribute towards the cost of community projects in 14: 41

16 the vicinity of the development in accordance with the

17 provision of section 37(g)(7) of the Planning and

18 Development Act 2000.

19
20 Prior to the commencement of development, the Applicant 14: 41

21 shall prepare a monitoring programme for the condition

22 of the road along the L1010 for the agreement of Kerry

23 County Council. This monitoring programme shall

24 include details of the frequency of proposed surveys,

25 the acceptable surface standards and the response times 14: 42

26 for agreed works. In the event that the identified

27 remedial works are to be carried out by Kerry County

28 Council, all costs associated with these works shall be

29 reimbursed to the Council by the Applicant. Reason:

1 It is to ensure the proper maintenance of road surfaces
2 during the construction and haulage periods in the
3 interest of traffic safety.

4
5 Prior to the commencement of development all necessary 14: 42
6 public infrastructure works shall be completed to the
7 satisfaction of the Planning Authority. Reason: In
8 the interests of the proper planning and sustainable
9 development of the area, public safety, traffic safety
10 and public health. 14: 42

11
12 Prior to the commencement of development, the Applicant
13 shall submit a detailed traffic management plan to the
14 Planning Authority for their approval. Reason: In the
15 interests of traffic safety. 14: 42

16
17 All delivery vehicles servicing the site shall use the
18 upgraded L1010. Reason: In the interests of efficient
19 traffic management and public safety and to minimise
20 the damage to public road systems in the area. 14: 43

21
22 All vehicles leaving the construction area of the site
23 shall pass through a wheel wash. Reason: In the
24 interests of amenity, the proper planning and
25 sustainable development of the area and traffic safety. 14: 43

26
27 Restrictions on traffic movements at Tarbert school
28 shall be required at school start and finish times,
29 precise details shall be agreed as part of the traffic

1 management plan. Reason: In the interests of traffic
2 safety.

3
4 Prior to the commencement of development, the Applicant
5 shall enter into a legally binding agreement with Kerry 14: 43
6 County Council under section 47 of the Planning and
7 Development Act 2000. This agreement or agreements
8 shall provide for: The payment by the developer of all
9 maintenance costs associated with the upkeep of the
10 road network servicing the site during the construction 14: 43
11 phase;

12
13 Restoration of the terminal site to the satisfaction of
14 the Planning Authority following the cessation of
15 operations; 14: 43

16
17 implementation of the traffic management plan to be
18 submitted to the Planning Authority for agreement;

19
20 the recruitment by the Planning Authority of all costs 14: 44
21 associated with the monitoring of waste management,
22 traffic and environmental management plans to be
23 supplied to the Planning Authority.

24
25 Reason: To ensure the satisfactory control of the 14: 44
26 development in the interests of the proper planning and
27 sustainable development of the area.

28
29 All tank and drum storage areas on site shall, as a

1 minimum, be bunded to a volume of not less than the
2 greater of the following: 110% of the capacity of the
3 largest tank or drum within the bunded area or --
4 Mr. Inspector, we have 25% of the total volume written
5 in the report, that should actually be 125% of the 14: 44
6 total volume of substance which could be stored within
7 the bunded area.

8
9 All fuel storage areas and cleaning areas, particularly
10 for concrete trucks, shall be rendered impervious to 14: 44
11 the store or clean materials and should be constructed
12 to ensure no discharge from the areas. **Reason: To**
13 **prevent surface and groundwater pollution.**

14
15 The developer shall maintain on the site for the 14: 45
16 duration of the construction period oil abatement kits
17 comprising of booms and absorbent materials. The
18 precise nature and extent of the kits shall be agreed
19 in writing with the Planning Authority prior to
20 commencement of development. **Reason: To prevent water** 14: 45
21 **pollution.**

22
23 Prior to the commencement of development the Applicant
24 shall submit precise details of percolation results and
25 proposed wastewater treatment plant for the jetty 14: 45
26 gatehouse for the approval of the Planning Authority.
27 **Reason: To prevent water pollution in the interests of**
28 **public health.**

1 Noise emitted from the site during the clearance,
2 construction of the development shall not give rise to
3 public noise. We have got the operational phase there,
4 Mr. Inspector, but that actually would be subject to
5 the IPPC licensing so that is not relevant. In the 14: 46
6 event of a complaint alleging a public noise nuisance
7 being made to Kerry County Council and upon
8 investigation the said Council are satisfied that a
9 such a nuisance exists is attributable to the
10 development the Applicant, upon being informed of same 14: 46
11 by the Council, should take any and all measures
12 necessary to eliminate the offending nuisance to the
13 satisfaction of Kerry County Council. Any or all costs
14 incurred by the Applicant in the elimination of the
15 nuisance shall be borne by the Applicant as shall any 14: 46
16 and all costs incurred by Kerry County Council in the
17 investigation of the complaints. Note: This condition
18 does not apply to noise generated from blasting
19 provided that the air overpressure associated with the
20 blast does not exceed 125 decibels. Reason: In the 14: 46
21 interests of public health and residential amenity.

22
23 Dust levels shall not exceed 35mg per metre squared,
24 (TA Luft Air Quality Standard) per day averaged over 30
25 days when measured at the LNG terminal site boundary. 14: 46
26 Any activity which could reasonably be expected to
27 exceed that dust level and proposed mitigation measures
28 shall be notified to the Planning Authority. Reason:
29 In the interests of public health and residential

1 ameni ty.

2
3 Prior to the commencement of development the Applicant
4 shall submit a waste management plan to the Planning
5 Authority for their approval. This waste management
6 plan shall include details of envisaged waste arising
7 and details of all measures for minimisation, re-use,
8 recycling and disposal of these wastes. **Reason: To**
9 **provide for proper waste management and protection of**
10 **the environment and public health.**

14: 47

14: 47

11
12 An appropriate fire fighting appliance and suitably
13 trained crew shall be provided on site and available at
14 all times in the event of an emergency. These measures
15 are to be agreed with the fire authority prior to
16 commissioning of the plant. The size and capacities of
17 the proposed fire water pumps are to be agreed with the
18 fire authority prior to commissioning of the plant.
19 The Applicant shall provide and agree with the fire
20 authority the fire safety measures to be taken during
21 the construction phase of the plant. A comprehensive
22 management system is to be put in place for the safe
23 operation of the plant. **Reason: In the interests of**
24 **public safety and environmental protection.**

14: 47

14: 47

14: 48

25
26 The Planning Authority advises the Applicant that
27 pursuant to article 12 of the Building Control
28 Regulations 1997 that a fire safety certificate shall
29 be required in respect of all works or buildings to

1 which this part applies. Reason: In the interests of
2 public health and safety.

3
4 The following conditions shall apply to the site
5 clearance phase of development. Prior to the 14: 48
6 commencement of any works on site the developer should
7 submit to the Planning Authority for their approval a
8 waste management plan covering all aspects of waste
9 disposal with respect to waste generated during the
10 demolition, site clearance, construction and 14: 48
11 commissioning phases of the development. This plan
12 should deal with both hazardous and non-hazardous waste
13 in both liquid and solid forms. The entire land
14 boundary should be securely and adequately fenced.

15 14: 48
16 Given the scale of the development, full and proper
17 arrangements for the storage and dispensing of all oils
18 including fuel, hydraulic and lubricating should be put
19 in place. Fuel oils should be stored in bunded tanks -
20 effective volume of bund to be 110% of the tank or 14: 49
21 where more than one tank is to be found within the same
22 bund the effective volume of the bund should be 120% of
23 the largest tank. All areas where fuel oil is to be
24 dispensed should be of concrete construction surrounded
25 by a "Safety-Curb" draining to a 3-stage oil 14: 49
26 interceptor.

27
28 Given the scale of the development a reasonable
29 quantity of oil pollution equipment should be held on

1 site. All diesel fuelled heavy machinery working on
2 site, e.g. dozers, scrapers etc should be fuelled by
3 mobile bowers. Each bowser should carry a reasonable
4 quantity of oil absorbent material. All machines
5 normally fitted with reversing horns or beepers should 14: 49
6 be an alternative warning system e.g. "the bbs-tek
7 BACKALARM" - that is a broadband (shh) sound.

8
9 Surface waters and runoff waters contaminated by silt
10 and grit etc arising from soil stripping and other such 14: 49
11 activities shall be treated physically and
12 electrostatically if necessary to the extent that the
13 discharge of same to any receiving waters will not
14 adversely affect the quality of the receiving waters to
15 any significant extent. The type and extent of 14: 50
16 treatment should be outlined in the waste management
17 plan referred to at one above. All issues associated
18 with the proper and safe treatment of sanitation waste
19 and canteen waste should be addressed.

20 14: 50
21 If clay is to be used in the pond and embankment it
22 should be sufficiently puddled as to prevent the
23 passage of water through. Explosives to be used in
24 the project should be selected by an explosives expert,
25 taking into account, inter alia, the nature of the rock 14: 50
26 to be blasted as well as the geology of the area.

27
28 The following conditions shall apply to the
29 construction phase of development. Washout of concrete

1 mixers shall be contained and properly disposed of;
2 powered compressors shall utilise sound attenuation;
3 blast whole drilling rigs shall operate with proper
4 silencers and filters. All nickel steel used in the
5 construction of tanks and pipelines shall be
6 independently certified as to nickel concentration and
7 purity in compliance with the specification.

14: 50

8
9 Mr. Inspector, this paragraph, all nickel steel and all
10 wells in the fabrication of gas tanks, in the Shannon
11 LNG submission there was alternative conditions
12 proposed to comply with the quality control of nickel
13 steel and the quality control of the wells and the
14 conditions proposed I think was in Leon's submission
15 are acceptable to Kerry County Council in lieu of the
16 two conditions here. We are satisfied that the
17 conditions proposed will ensure the integrity of both
18 the nickel steel and the integrity of the
19 non-destructive testing and the integrity of the
20 welding proposed.

14: 51

14: 51

14: 51

21
22 Concrete used in the construction of the tanks,
23 foundations etc. should be independently tested and a
24 summary of results highlighting any problems
25 encountered and remedial measures taken forwarded to
26 Kerry County Council and the Health and Safety
27 Authority on a quarterly basis.

14: 51

28
29 An Environmental Protection Officer shall be appointed

1 on site of the project. Details of this officer shall
2 be supplied to the council as a liaison officer
3 regarding environmental and monitoring conditions.

4 Reason: In the interests of public health,
5 environmental protection and residential amenity. 14: 52

6
7 The developer shall contribute to sum to a maximum of
8 €80,000 for the provision of public art work
9 benefitting the community. The location of this work
10 is to be agreed with Kerry County Council. Reason: In 14: 52
11 the interests of visual amenity.

12
13 END OF SUBMISSION OF MR. SHEEHY

14
15 INSPECTOR: There are some handwritten 14: 52
16 notes at the end,

17 Mr. Sheehy, that is not of significance?

18 MR. SHEEHY: Which?

19 INSPECTOR: The next page after the end
20 of your submission I have 14: 52
21 got some handwritten notes.

22 MR. SHEEHY: No, Mr. Inspector, that was
23 a copy of notes that had
24 been taken, that was included in the photocopy, they
25 are not relevant to the submission. 14: 53

26 INSPECTOR: Just to pick up on two
27 small details before I open
28 your submission to the floor. The bunding condition,
29 that doesn't relate to the LNG storage tanks

1 themselves, I take it?

2 **MR. SHEEHY:** The bunding condition
3 regarding -- I think that
4 relates to the construction of the surface water pond.
5 Sorry, no, during the construction phase the fuel tanks 14: 53
6 on site.

7 **INSPECTOR:** Right. The condition in
8 relation to monitoring the
9 condition of the road the road, the coast road, that
10 refers only to the section of that road from the site 14: 53
11 to Tarbert; is that right?

12 **MR. SHEEHY:** Yes.

13 **INSPECTOR:** Okay. Does anybody have
14 questions for the Planning
15 Authority or comments to make, Ladies first. 14: 54
16

17 **MR. SHEEHY WAS CROSS-EXAMINED BY THE OBJECTORS AS**
18 **FOLLOWS**
19

20 **MS. MURPHY:** Mr. Inspector, in relation 14: 54
21 to the traffic management
22 plans, I spoke to you yesterday about the urban design
23 plans which had prepared for us and these are supported
24 by Kerry County Council so for your deliberations we
25 would like to make these plans available to the Board 14: 54
26 to help with the planning process, if you don't mind.
27 (SAME HANDED) We can get copies.

28 **INSPECTOR:** You say you are going to
29 make copies?

1 MS. MURPHY: We have some copies, yes,
2 I haven't them here with
3 me.
4 INSPECTOR: I think if you hold on to
5 this for the time being and 14: 55
6 make all copies available at the same time.
7 INSPECTOR: Yes.
8 MR. LYNCH: Noel Lynch, Ballylongford
9 Enterprise Association. In
10 relation to the public infrastructure fund, we in 14: 55
11 Ballylongford would request the County Council to allow
12 funding for the provision of a pedestrian walkway
13 adjacent to the main bridge in Ballylongford. We
14 believe that it is incredible, the village is only two
15 and a half miles from the proposed site, that should 14: 55
16 the project go ahead we imagine an awful lot of car and
17 worker traffic coming through this village. The
18 greatest amount of rental accommodation available in
19 North Kerry is in Ballybunion and during the peak of
20 construction we would estimate that a huge number of 14: 56
21 cars will be passing through Ballylongford going to the
22 site. They are not going to go an extra 20 or 30 miles
23 via Listowel, Tarbert and back into the site. We
24 believe that a lot of traffic coming from the entire
25 North Kerry area coming from Listowel, Ballybunion, 14: 56
26 Ballyheigh, maybe even Tralee will make Ballylongford a
27 rat run.
28
29 Our main concern is this particular bridge which also

1 in the main access to the national school in the
2 village. The bridge is only 5.5 metres wide and we
3 believe it will become very dangerous for these kids
4 and we would ask the Council to include in their public
5 infrastructure funding a sum available, an amount of 14: 57
6 moneys available to put a pedestrian walkway at this
7 location.

8 **INSPECTOR:** Mr. Sheehy.

9 **MR. SHEEHY:** Mr. Inspector, Kerry County
10 Council will examine that 14: 57

11 issue and consider the most appropriate course of
12 action. The provision of the infrastructure mentioned
13 in the conditions here is specifically for the
14 upgrading of the road from the site into Tarbert so we
15 will have to look at the issue of the pedestrian 14: 57
16 crossing in Ballylongford under our normal roads budget
17 and see what can be provided.

18 **INSPECTOR:** Do you wish to comment?

19 **MR. LYNCH:** It is just that last week
20 we spoke about credibility, 14: 58

21 and what's credible and what's not credible, it's not
22 credible to think that Ballylongford would not used on
23 a wide basis for access to this site. That's all
24 I have to say, Mr. Inspector.

25 **MS. GRIFFIN:** Can I just add to what 14: 58
26 Mr. Lynch is saying.

27 Shannon LNG have said that they will control the heavy
28 goods traffic, I don't believe that. If somebody is
29 coming from say Ballybunion, they are not going to go

1 into Ballylongford, around to Tarbert and back out to
2 the site, they are going to come through Ballylongford
3 village. I think it's naive to think -- there is
4 going to be other traffic going to the site as well as
5 the heavy goods vehicles which Shannon LNG won't have
6 any control over. 14: 58

7 **MR. McELLI GOTT:**

Can I also add to that.

8 Yesterday you were talking
9 about the roads and the problems of the T-junction at
10 the N69, I find it incredible that the Tarbert 14: 59
11 Development Association didn't put forward to Kerry
12 County Council to actually bypass Tarbert completely
13 because Kerry County Council if this goes ahead are
14 going to get all the money from Shannon LNG to do up
15 the road so why don't they just do a proper bypass for 14: 59
16 the safety of the children. This is not my job because
17 I am opposed to the project, but I don't think Tarbert
18 are actually pushing enough anyway for what they should
19 be looking for now.

20
21 The N69 comes to a T-junction, it's not a main road
22 through Tarbert, I think that if you are any way
23 interested in the safety of the people you should be
24 having a bypass from the Listowel Road to Tarbert and
25 maybe another one over towards the Ballylongford Road, 14: 59
26 but that's not my job to do it, I mean if they were
27 thinking of the locals they would be saying that
28 already.

29 **MS. MURPHY:**

Joan Murphy, Tarbert

1 development. We have been
2 in discussion with Kerry County Council for quite a
3 while about the need for upgrading the roads in Tarbert
4 to take the increased traffic, not just for Shannon
5 LNG, but in lieu of the ferry. There is a possibility, 15:00
6 I think it's maybe more than a possibility now, that
7 there will be an inner relief road. It's on the Local
8 Area Plan which was actually published in 2006 and
9 I think and was published before ever Shannon LNG came
10 on board so we are in discussion with Kerry County 15:00
11 Council in relation to this inner relief road which
12 I think is certainly shown on the plans that we are
13 going to give you now, if you don't mind. Thank you.
14 **INSPECTOR:** I think that is shown on
15 the Local Area Plan; is 15:00
16 that right?
17 **MS. MURPHY:** Yes, it is in the Local
18 Area Plan as well,
19 Mr. Inspector.
20 **INSPECTOR:** Does the Planning Authority 15:01
21 have any comment?
22 **MR. HARTNETT:** Frank Hartnett, Senior
23 Executive Engineer, Kerry
24 County Council. As Ms. Murphy pointed out yesterday
25 the area plan does include for an inner relief road and 15:01
26 obviously that is a matter for outside of this hearing.
27 The cost of that really will be the issue in the
28 delivery of it. What we felt with this particular
29 application is that the direct impact of the

1 development on the coast road, we felt it was right and
2 proper that the developer would pay for that in full
3 and also the large impact that will be on Bridewell
4 Street, but we certainly didn't feel it was appropriate
5 that given the temporary nature, if you will, of the 15: 01
6 traffic congestion through Tarbert generated by the
7 construction phase of this development, we didn't think
8 it was appropriate to expect the developer to pay for
9 the inner relief road as well.

10 **MR. McELLI GOTT:** Mr. Inspector, I think it's 15: 02
11 completely appropriate.

12 I am just reading a letter here now from the minutes of
13 a meeting between Paddy Power and Kerry County Council
14 on 20 June 2006. They state that the number of staff
15 at peak, 750 persons. The estimated peak is 1700 car 15: 02
16 movements per day, that's 850 round trips. The number
17 of trucks is 250 truck movements per day, that's 125
18 round trips. Projected truck movements is every four
19 to five minutes. Now, they are talking about doing
20 construction that could go on for ten years. Now, if 15: 02
21 they think that that is temporary -- this is not my job
22 here, but if you are looking for money there is loads
23 of money over there and I don't know why you are not
24 asking for it. The consumer price of every LNG tanker
25 full of gas to residential is about €70 million. All 15: 03
26 they want to do is do one stretch, a bit of a road
27 between Tarbert, Kilcolgan and over to Tarbert.
28 Yesterday they gave you so much information about the
29 number of primary schools and secondary schools which

1 are going to be a danger, I just say wait until there
2 is one child killed and you will go around then and say
3 'why didn't we ask for a proper ring road around
4 Tarbert' and this shouldn't be temporary. If you want
5 to encourage other industry into the area and if your 15: 03
6 real aim is to encourage other development on the land
7 bank then you should be thinking in the future and
8 thinking of a full road network that will be able to
9 take that future traffic or is it as you said only just
10 temporary because once that is finished there will be 15: 03
11 no more traffic on the road.

12 **MR. HARTNETT:** Just to repeat. The inner
13 relief road, which is an
14 objective of the area plan, Kerry County Council will
15 be pursuing the construction of that. 15: 04

16 **MR. McELLI GOTT:** Will that before planning
17 permission is given?

18 **MR. HARTNETT:** That inner relief road was
19 considered regardless of
20 this planning permission. It was to aid the congestion 15: 04
21 that you have so highlighted that is in Tarbert village
22 regardless of this development.

23 **MR. McELLI GOTT:** I am talking about future
24 congestion.

25 **MR. KEARNEY:** This is going to exacerbate 15: 04
26 it even further.

27 **MS. GRIFFIN:** I have seen the plans
28 actually that Joan Murphy
29 has spoken about for the development of Tarbert and the

1 relief road, if it goes ahead, actually come out
2 practically opposite the national school.

3 **MR. HARTNETT:** I might just ask my
4 colleague there, Tom
5 Sheehy, who was involved in the development of the 15: 04
6 Tarbert Area Plan.

7 **MR. SHEEHY:** Mr. Inspector, the inner
8 relief road being discussed
9 was proposed as part of the Tarbert Local Area Plan
10 irrespective of any scheme going ahead in order to 15: 05
11 create the potential in any future traffic management
12 plan for improved traffic flows within the village of
13 Tarbert. It was not designed, even though it might
14 contribute to alleviate the difficulties, it was not
15 proposed or thought of in the context of the Shannon 15: 05
16 LNG project and it is considered to be as much an urban
17 renewal initiative as well as a potential traffic
18 management or contribution towards the traffic
19 management within the town. So really it's not in the
20 context of the proposed traffic management for the LNG 15: 05
21 facility, it's not hugely relevant a consideration.

22 **INSPECTOR:** Has any progress been made?

23 **MR. SHEEHY:** Yes, we have managed to
24 identify the landowners in
25 question and we are trying to make further progress 15: 06
26 with regard to negotiating the purchase of the
27 necessary lands.

28 **INSPECTOR:** Any more questions?

29 Ms. Griffin.

1 MS. GRIFFIN: Mr. Sheehy, on page 14 of
2 County Manager's report, at
3 the bottom half of the page, need for the scheme,
4 bullet point No. 2:

5 "Access to LNG will reduce Ireland's
6 need for less environmentally friendly
7 fossil fuels such as coal and oil."

15: 06

8 I know gas is also a fossil fuel, but we are already
9 getting LNG through the existing pipeline from the UK?

10 MR. SHEEHY: Yes. That point,

15: 07

11 Mr. Inspector, has to be
12 read in conjunction with the other points made. Point
13 2 is access to LNG will reduce Ireland's need to less
14 environmentally friendly fossil fuels such as coal and
15 oil, that has to be read in conjunction with existing
16 gas reserves in Ireland and the UK are rapidly
17 deleting. It's also an issue of security and diversity
18 of supply is what's in question there as well.

15: 07

19 MS. GRIFFIN: The UK are going to be
20 getting two LNG terminals
21 up and running over there in Wales in the next couple
22 of years.

15: 07

23 MR. SHEEHY: This has all been thrashed
24 ad infinitum earlier on,
25 but the point is that the UK's own gas reserves are
26 deleting by 10% per annum. They are building them as a
27 replacement for their own deleting gas resources.

15: 07

28 MR. McELLI GOTT: I just want to point out
29 and make a note to the

1 Inspector to note that this report by Kerry County
2 Council was presented to the councillors after the
3 closing date for submission, the closing date for
4 submissions for submissions by the public was
5 16 November and Kerry County Council did not have to 15: 08
6 submit their report to An Bord Pleanála until
7 mid-December. This was discussed at a Kerry County
8 Council meeting in December and I would just like the
9 Inspector to note, because I don't think it came out
10 very well in what was sent to the Inspector, to An Bord 15: 08
11 Pleanála, was that each and every county councillor
12 that spoke at that meeting, first of all there was no
13 vote taken on what the councillors thought about the
14 project because they knew now that there was a lot of
15 issues and, secondly, every councillor that spoke that 15: 08
16 supported the project put a caveat on it and the caveat
17 was that the safety concerns of the Kilcolgan residents
18 would have to be taken into consideration. I would
19 like the Inspector to note that our safety concerns
20 have not been taken into consideration and we are not 15: 09
21 happy with them so the Kerry County councillor's
22 judgment has to be noted on the caveat that each
23 councillor at that meeting put on it.

24 **MR. McMAHON:** Michael McMahon, Director
25 of Services Planning, Kerry 15: 09
26 County Council. As the Inspector will be aware the
27 procedures set out in the Strategic Infrastructure Act
28 are very clear and the function of Kerry County Council
29 in relation to that matter is quite clear. The

1 Planning Authority complied fully with the legislation
2 as it is set out and the requirements to prepare a
3 Manager's report and to lay that report before the
4 elected members of the Council and then to forward to
5 the Board the Manager's report which the elected
6 members cannot alter and the views of the elected
7 members as set out at that meeting. It was a matter
8 totally for the members to pass any resolution which
9 they wished to pass in relation to that matter and they
10 didn't do so on the day.

15: 10

15: 10

11 **MR. McELLI GOTT:** I would also wish to note
12 that we gave a submission
13 to the Kerry County councillors on that date and Robert
14 Beasley councillor told me that he had submitted our
15 written submission to Kerry County Council which he
16 wanted to be forwarded on to An Bord Pleanála as his
17 official written submission and that was not forwarded
18 to An Bord Pleanála from my understanding.

15: 10

19 **MR. SHEEHY:** Mr. Inspector, two things.

20 The first point is that
21 I would agree with Mr. McElligott that the minutes
22 reflect the fact that every councillor that spoke said
23 it was a major concern of each councillor that safety
24 should be of primary importance in dealing with the
25 application and Mr. McElligott is right in that regard.

15: 10

15: 11

26
27 With regard to the submission by Councillor Beasley, we
28 have no record of this and we would be more than
29 willing to comply with any such request if we had

1 requested it, but we have no record of having received
2 that.

3 **MR. McELLI GOTT:** Because I was sitting in
4 the council chamber at the
5 back, I handed it to Robert Beasley, Robert Beasley 15: 11
6 councillor went up to the table and he said he wanted
7 that submitted. He came back empty handed and he said,
8 yes, I have given that in as an official submission.
9 The rules had stated that you were not probably obliged
10 to take a vote, but anything that was said or written 15: 11
11 by any councillor in written form or in spoken form had
12 to be forwarded to An Bord Pleanála and you did not
13 forward that written submission by us which was handed
14 in by Councillor Beasley so I wish the Inspector to
15 note that, that was a breach of procedures as far as 15: 12
16 I am concerned.

17 **MR. SHEEHY:** If I could just ask you,
18 Mr. McElligott, did
19 Councillor Beasley stand up and say 'I here have a
20 written submission which I wish to submit' or did he 15: 12
21 just walk to the top table and speak to someone and
22 give to it them?

23 **MR. McELLI GOTT:** He walked to the top table,
24 gave it to the councillors
25 or whoever is at the same table and he said that is 15: 12
26 submitted, when he came back, that is submitted as an
27 official submission.

28 **MR. SHEEHY:** The minute doesn't reflect
29 Councillor Beasley standing

1 up and saying 'I have a written submission which I wish
2 to submit to accompany the application'.

3 **MR. McELLI GOTT:** We can only take his word
4 for it.

5 **MR. McMAHON:** Mr. Inspector, I should 15: 12
6 also point out that the
7 meetings administrator and the County Manager had
8 issued on two occasions information to the elected
9 members of the Council in relation to their role in
10 relation to this matter, had specifically pointed out 15: 12
11 to them that if they wanted a specific resolution
12 passed or considered at the meeting that it should be
13 submitted to help the meetings administrator in his
14 work of recording what was transacted at that meeting.
15 I attended that meeting, I am unaware of any resolution 15: 13
16 submitted by any member in relation to this matter and
17 certainly there was no resolution passed by the members
18 and I am satisfied that the meetings administrator
19 forwarded a full and complete report of what was
20 transacted at that meeting and the Act I think clearly 15: 13
21 provides that that account shall be taken as prima
22 facie evidence of what occurred at the meeting.

23 **INSPECTOR:** Mr. Kearney.

24 **MR. KEARNEY:** I just want to refer to the
25 manager's report and in 15: 14
26 particular section 3 on page 3, it's the start of their
27 section on relevant national, regional and local
28 policies. I just have a question: In the overall
29 context of the project and weighing up the different

1 policies for and against why did they not take into
2 consideration extremely pertinent European directives
3 like the Seveso Directive and the Habitats Directive in
4 the section?

5 **MR. SHEEHY:** Mr. Inspector, the Seveso 15: 14
6 Directive regarding the
7 control of major accidents is an issue to be dealt with
8 by the Health and Safety Authority which was advising
9 the board. As regards to the Habitats Directive, this
10 was to be addressed by ecology. We asked An Bord 15: 14
11 Pleanála should we employ an independent ecological
12 consultant to assist us and the Board informed us that
13 you would be employing your own independent ecologist
14 to assist the Board in their deliberation on ecological
15 matters. 15: 15

16 **MR. KEARNEY:** The point I was trying to
17 make was if you just look
18 through the policies section, it just seems to be
19 cherry picking policies that suit this project, but
20 there was no actual kind of objective approach of 15: 15
21 actual analysing the project under different policies
22 across the board.

23 **MR. SHEEHY:** Mr. Inspector, we kept our
24 policies to the areas from
25 which we could draw conclusions and as I said An Bord 15: 15
26 Pleanála were dealing with the safety issues and also
27 the ecological issues.

28 **MR. KEARNEY:** Sorry, Inspector, there,
29 forgive me, the question

1 I asked before lunch in regard to a master plan, you
2 said I could put it to the Kerry County Council after
3 the break so if they might address that.

4 **MR. SHEEHY:** I was waiting,
5 Mr. Inspector, to address 15: 16
6 that point. Kerry County Council are currently
7 reviewing the current Kerry County Development Plan
8 2003-2009 and we will be entering into negotiation with
9 all the relevant bodies throughout the county. As part
10 of that process we will discuss the feasibility of 15: 16
11 creating a master plan for the land bank with Shannon
12 Development. I say this, Mr. Inspector, in the context
13 of recognising the difficulties of preparing a master
14 plan for industrial lands without a clear indication of
15 specific projects in that master plans generally give a 15: 16
16 more detailed layout of facilities and infrastructure
17 servicing the site and to prepare a master plan in such
18 detail might prejudice future development proposals and
19 not have the flexibility necessary to accommodate
20 proposals which might come to light during the period 15: 17
21 of the master plan.

22 **MR. McELLI GOTT:** Mr. Inspector, I think
23 that's completely --

24 **MR. KEARNEY:** -- nonsensical.

25 **MR. McELLI GOTT:** Because you are basically 15: 17
26 saying so because you are
27 going to rezone the land, you rezoned it in a very
28 strange way 10 months ago, but you rezoned the land
29 with no master plan, you just said 'LNG are coming in,

1 we will rezone all this land and then we will think
2 about a master plan after that planning goes through',
3 surely in the interest of orderly and sustainable and
4 integrated development you have to have an overall
5 plan. If you look at the land down there, Shannon 15: 18
6 Development don't give a damn about it because for the
7 very simple reason -- like all the sluice gates which
8 stop the corrosion, they have already lost six acres or
9 maybe a lot more, somebody was telling me they lost
10 about 20 or 30 acres of land, they don't give a damn 15: 18
11 about the land, nobody seems to care about it. I am
12 wondering how you can say you are going to have a
13 master plan after the planning application has gone
14 through, you are not doing your job.

15 **MR. SHEEHY:** Mr. Inspector, if I could 15: 18
16 ask Mr. McElligott to
17 clarify exactly what you mean by a master plan, do you
18 mean a land use master plan or an economic master plan?

19 **MR. KEARNEY:** A land use master plan,
20 integrated. 15: 18

21 **MR. SHEEHY:** What does that mean
22 'integrated'?

23 **MR. KEARNEY:** In planning parlance
24 -- now, I didn't state it
25 heretofore, but I have an MA in Urban and Regional 15: 18
26 Planning so I think I am qualified to address this
27 point. A master plan in land use planning in an
28 integrated area action plan for the whole of the lands
29 industrially zoned, 500 odd acres, if you don't provide

1 a master plan provide to an application then the whole
2 process falls into disrepute as far as I am concerned.

3 MR. SHEEHY: If I could ask Mr. Kearney,
4 Mr. Inspector, what detail
5 exactly would you expect to see on that master plan? 15: 19

6 MR. KEARNEY: This company are taking
7 half the land bank, there
8 seems to be no impact studies on what the remainder of
9 the land bank can achieve or is capable of absorbing.

10 MR. SHEEHY: Mr. Inspector, if I could 15: 19
11 reiterate the question:
12 What detail in particular, Mr. Kearney, do you think
13 the master plan would entail?

14 MR. KEARNEY: It would include an impact
15 study, this is a Seveso II 15: 19
16 site, it could impact on the siting of other
17 industries. It could involve road structures for the
18 entirety of the site, linkages within the site and the
19 construction of another deep water port facility on the
20 lands adjacent, not just the jetty on the LNG side. 15: 19

21 MR. SHEEHY: Mr. Inspector, again
22 I think now that we
23 understand what we mean by the master plan and again
24 I would reiterate that the provision of a master plan
25 in that detail indicating road layouts and 15: 20
26 infrastructure prior to knowing or having any detail of
27 what type of industry might be appropriate or might
28 arise on the site is not practical and cannot be done.
29 On the other hand, Kerry County Council will be

1 discussing with Shannon Development broader principles
2 for possibly the economic development of the site and a
3 strategy, but the provision of a master plan I would
4 reiterate in Kerry County Council's view is not
5 practical .

15: 20

6 **MR. McELLI GOTT:** There is something that is
7 very practical , though. It
8 is that a deep water port facility -- if this jetty
9 goes ahead for the LNG tanker that will become a
10 proprietary jetty, that means no other ships will be 15: 20
11 able to use that jetty. Now, if that jetty is using
12 the deepest and the best water on the land bank and if
13 we cannot build another jetty parallel to that or that
14 would be separate then at least you have to take in
15 that possibility, that's just the basic part of the 15: 21
16 master plan, you just at least have to say 'are you
17 sterilising the rest, is it not physically possible to
18 put another port facility right next to where that
19 jetty is coming' because from my understanding that
20 jetty for the LNG tanker is taking the best of the 15: 21
21 water, the deepest water and the best part of the whole
22 land bank so even just by putting that in on its own
23 you are already sterilising the rest of the land bank
24 as it cannot be used. It is in the County Development
25 Plan, "deep water port facilities, large scale 15: 21
26 employment and industrial development", you are obliged
27 to follow the County Development Plan and anything you
28 put forward has to integrate the County Development
29 Plan policies, you have not done it. You are just

1 sticking something in the middle and saying we will do
2 a master plan afterwards, you are breaking the rules.

3 MR. SHEEHY:

Mr. Inspector, I think

4 I read the objective

5 earlier on during the hearing. It says 'or' major
6 industrial development. The County Development Plan
7 does not require that industrial development on that
8 site has deep water access. Other industries could
9 possibly be developed on the site which would comply
10 with the objectives of the County Development Plan
11 which would not be related to deep water access.

15: 22

15: 22

12 Secondly, Mr. Inspector, I have seen nothing or heard
13 nothing at the Oral Hearing to indicate that a second
14 jetty at another location on those lands could not be
15 constructed.

15: 22

16 MR. McELLI GOTT:

What's the difference

17 between a jetty and a port?

18 MR. SHEEHY:

A jetty, Mr. Inspector, as

19 far as I am concerned is a

20 kind of an access for the transfer of goods in along.

15: 22

21 A port is much bigger facility incorporating a much
22 wider range facilities.

23 MR. KEARNEY:

Exactly, that's what's in

24 the County Development Plan

25 and that's not what is actually planned with this

15: 23

26 project here so that's where you are falling down on
27 this project as far as I am concerned.

28 MR. SHEEHY:

Mr. Inspector, I can read

29 out the objective of the

1 County Development Plan if you think that would
2 clarify. Section 5.2.9 of the Plan:

3 "Lands have been identified at
4 Ballylongford Harbour as suitable for
5 development as a premier deep water
6 port facility and for major industrial
development and employment creation."

15: 23

7 MR. KEARNEY: You read that very fast,
8 can you read it out more
9 slowly.

10 MR. SHEEHY:

15: 23

11 "Lands have been identified at Tarbert
12 Ballylongford and Tarbert as suitable
13 for development as a premier deep water
14 port facility and for major industrial
development and employment creation."

15 MR. McELLI GOTT: 'And', there is no 'or' in
16 there so "deep water port
17 facility and for major industrial facility and
18 employment creation", there is no 'or' in there. If
19 you want to build a jetty why don't you build a port
20 and then build the jetty off the port?

15: 24

15: 24

21 MR. SHEEHY: Mr. Inspector, I would
22 consider the provision of
23 the jetty as complying with the deep water port
24 facility, that is Kerry County Council's view on that.

25 MR. McELLI GOTT: How can you say the jetty
26 is a deep water port
27 facility when you just made a distinction between a
28 port and a jetty.

15: 24

29 MR. SHEEHY: I think the proposed

1 development would come
2 within the scope of a deep water port facility, that is
3 my opinion.

4 MR. McELLI GOTT: If you have a jetty you
5 cannot build a port on the 15: 24
6 jetty, you can build a jetty on the port but not a port
7 on the jetty?

8 MR. SHEEHY: Would a jetty form part of
9 a port?

10 MR. McELLI GOTT: It would be an extension to 15: 24
11 a port.

12 MR. SHEEHY: Well, we are playing with
13 words here, Mr. Inspector.

14 MR. KEARNEY: No, it is very, very
15 important. 15: 25

16 MR. McELLI GOTT: It is going to become a
17 proprietary jetty where no
18 other ship can use that so it's extremely important.
19 If you had another port facility in the inside and then
20 you had the jetty outside that at least other ships, if 15: 25
21 there is going to be no exclusion zone, if it's only
22 going to be 100 metres or whatever, can't they put it
23 out 500 metres and then use other ships there. You are
24 just destroying the whole of the land bank the way you
25 are doing it. 15: 25

26 MR. SHEEHY: I don't accept that,
27 Mr. Inspector.

28 INSPECTOR: The questioner at the back.
29 Mr. O'Sullivan.

1 MR. O' SULLIVAN:

Mr. Inspector, Shannon

2 Development wouldn't accept
3 that the LNG jetty sterilises the remaining land bank
4 in terms of access to deep water and I believe that
5 point was made clear by Shannon Foynes Port Company.
6 In relation to the Shannon Development attitude to the
7 land bank:

15: 25

8 "Shannon Development has retained its
9 lands at Kerry deep water zone for
10 suitable large scale maritime industry
11 related projects which can utilise the
12 key attribute of the lands i.e. close
13 proximity to deep, navigable, sheltered
14 waters in the Shannon Estuary. Shannon
Development has strongly promoted the
potential of this site to relevant
industrial industry sectors over many
years."

15: 26

15 Over those years there have been several project
16 inquiries for potential projects, none of which came to
17 fruition. Thank you.

15: 26

18 MR. McELLI GOTT:

Mr. Inspector, I would like

19 to ask Shannon Development,
20 they are saying two things. First of all, they are
21 saying there were lots of inquiries and then they are
22 saying none of them are working so let's assume there
23 are lots of inquiries, if there are lots of inquiries
24 we should be able to put them forward here and do a
25 comparison of this proposal with the other proposals
26 that have been put forward to compare is that the best
27 use of the land bank. Secondly, Shannon Development's
28 behaviour to date with the land bank, they have allowed
29 an awful lot of acreage of the land bank just corrode

15: 26

15: 27

1 away so they don't give a damn about it. My brother
2 before he emigrated to America was one of the last
3 people to clean all the sluice gates. They are leaving
4 the land corrode away so they don't really seem to give
5 a damn. The third point is that Mr. O'Sullivan of 15: 27
6 Shannon Development said that the use of the jetty will
7 not stop other ships using the deep water facilities,
8 that was not the question I raised. I raised the
9 question that if you build the jetty the way they are
10 proposing to build it you will not have a port to put 15: 27
11 the ships into even if they are allowed to come that
12 close to the LNG tankers, it's the idea of building a
13 port and then building the jetty onto it.

14 **MR. KEARNEY:** You also have to take into
15 account what the Harbour 15: 28
16 Master said here during the week when we spoke of berth
17 control zones that would be applicable, he didn't
18 actually give a specific distance because he couldn't
19 make a remark in the absence of an application for
20 industry adjacent, but he did specify that there would 15: 28
21 be berth control zones so that would apply to a jetty
22 or a port facility adjacent.

23 **MR. LYNCH:** Mr. Chairman, in case we
24 lose the run of ourselves
25 we should remind ourselves that this land has been in 15: 28
26 place began in 1959, a smelter was proposed in 1979,
27 that's 29 years ago nearly and nothing has come at any
28 stage. We are now in the verge of something big coming
29 there and if this doesn't come will we will waiting

1 another 30 years ago again to have a discussion like
2 this?

3 **MR. McELLI GOTT:** Mr. Inspector, I say it
4 would be better to give the
5 land bank back to the local people and they would be 15: 29
6 able to develop it much better for the very simple
7 reason: The people that are controlling the land bank
8 at the moment are in cushy jobs, they are civil
9 servants, but the point is that they don't give a damn
10 about the land bank really. They are all saying it 15: 29
11 wasn't developed and I am saying it wasn't developed
12 because people didn't care, the local people care about
13 the land bank and they are not being allowed to push it
14 to get it developed properly. That's the whole point.

15 **INSPECTOR:** Ms. Griffin. 15: 29

16 **MS. GRIFFIN:** I just want to say to
17 Mr. Noel Lynch, just
18 because we have been waiting a long time to see the
19 land bank developed, I live next to the land bank, is
20 he saying that we should just rush through the first 15: 29
21 development that comes in case something else doesn't
22 come for another 30 years even if it's not totally
23 appropriate or we could get something better that would
24 give a lot more jobs.

25 **MR. LYNCH:** No, I am not saying that at 15: 30
26 all. Projects have come
27 and were mentioned for the place which we haven't
28 agreed with. I can give an example of the hydrochloric
29 acid plant which was proposed back in 1990. We had a

1 big public meeting in Tarbert in relation to that and
2 we were not in favour of it.

3 **MS. GRIFFIN:** Why were you not in favour
4 of it?

5 **MR. LYNCH:** Because our views of it was 15: 30
6 that it was not a safe,
7 clean industry.

8 **MS. GRIFFIN:** So you are saying that this
9 is a safer industry?

10 **MR. LYNCH:** Much more so. We believe 15: 30
11 that this is a very safe,
12 clean industry and we welcome it.

13 **FEMALE SPEAKER:** Sorry, Mr. Lynch, were you
14 here the day Dr. Havens was
15 here, have you any opinion on what he said 15: 31
16 ... (INTERJECTION)

17 **INSPECTOR:** Hold, we are just getting
18 out of control here.

19 **MS. GRIFFIN:** I just think that because
20 it has been empty for such 15: 31
21 a long time, Mr. Inspector, and now this project is
22 seen as the light at the end of the tunnel that people
23 are just willing to grab on to this project without any
24 thought.

25 **INSPECTOR:** I take that point. Now do 15: 31
26 we have any more questions
27 for the Planning Authority.

28 **MR. McELLI GOTT:** They said they went on a
29 trip to Boston to visit an

1 equivalent terminal, the Everett terminal, and from
2 what I can read about the Everett terminal, searching
3 on the internet, it's not great knowledge, but they say
4 that because of its location there is a movement now to
5 ask for the terminal to be shut down in Everett because 15: 31
6 it is passing such large population centres and it's in
7 a very dodgy location, did you raise any of those
8 issues when you went on the trip to Boston?

9 MR. SHEEHY: No.

10 MR. McELLI GOTT: What happened, how were you 15: 32
11 actually able to go to
12 Boston and view a terminal and ask really serious
13 questions, could you explain to me what happened on
14 this trip to Boston because there is no account of it
15 anywhere? 15: 32

16 MR. SHEEHY: Mr. Inspector, the purpose
17 of the trip was to see an
18 operational plant working and see how it actually
19 worked, the processes involved, the scale of the
20 project, its location relative to adjacent industrial 15: 32
21 developments. That was the purpose of the trip. It is
22 as you can imagine in the city like Boston difficult to
23 walk down the street and stop people and elicit their
24 opinions, that was not the purpose of our trip to go
25 and start interrogating members of the public. 15: 32

26 MS. GRIFFIN: I believe Mr. Johnny
27 McElligott did interrogate
28 members of the public when he went to Milford Haven
29 because he wanted to get a truer picture.

MR. McELLI GOTT: I am just wondering why did you go all the ways to Boston, there is other LNG terminals closer by in Europe if you didn't speak to any of the locals.

MR. SHEEHY: It made no difference,
Mr. Inspector.

MR. KEARNEY: It is taxpayers money.

MR. SHEEHY: There was no difference.

MR. McELLI GOTT: Tal ki ng about ri sk

assessments, you asked no risk or safety questions anywhere when you were going visiting the other terminals you visited, did you raise any safety concerns or any health concerns with anybody who you were talking to?

MR. SHEEHY: During our tour of the plant, Mr. Inspector, we raised any question was thought was relevant with regard to safety, the safety monitoring procedures, the different type of alarm systems, the safety control room, we visited that to see how it would work and the back-up systems available so we are very impressed with what we saw at that plant. Again we didn't raise any -- are you saying why didn't we raise any question, is what you are saying?

MR. McELLI GOTT: When we started doing our own research the safety issues, and it's not about foot bridges or something like that, the real safety issues concerning LNG as per Dr. Havens, anybody with three miles can be in danger

1 if this thing blows up or create as ... (INTERJECTION)

2 MR. O'NEILL: No, in fact he didn't say
3 that, Sir. I think

4 Mr. McElligott must be accurate in the questions he is
5 putting. He is making wild assertions without any 15: 34
6 basis for making them and I think it's very unfair to
7 the witnesses and it's also unfair to the Applicant
8 because it is factually incorrect.

9 MR. McELLI GOTT: The issues and the safety
10 concerns raised by 15: 34

11 Dr. Havens raised very serious safety concerns.

12 Mr. Shearer over there said that it would be like the
13 largest Roman candle in the word. Now, that is all
14 over the American websites what Mr. Shearer said, were
15 you aware of any of those issues when you visited the 15: 34
16 LNG terminal?

17 MR. SHEEHY: When we visited the LNG
18 terminal? No, not at the
19 time that we visited it. The primary purpose of our
20 visit to that site was to see the context of its 15: 35
21 location, the size of the plant, the actual workings of
22 the plant, how does the plant work. We also visited
23 the site in Milford Haven to see the construction
24 process, to see what it is like during construction,
25 what the issues might be there that might be relevant 15: 35
26 to the planning. The issues regarding safety were
27 addressed to the Board by the HSA.

28 MR. McELLI GOTT: When you are sitting a
29 terminal you have to take

1 the bigger picture into account, not just the processes
2 that are within the plant, you should also take into
3 account the whole location and the setting of it, that
4 didn't occur to you, did it?

5 **MR. SHEEHY:** We looked at the location 15: 35
6 of the plant in Boston with
7 a view to seeing how an operational plant works. The
8 siting of the application here, at the time it was
9 determined the application was being made on the
10 Shannon land bank. We knew where the proposed site of 15: 35
11 the development in Kerry was.

12 **MR. McELLI GOTT:** So you are saying it was
13 already picked, the Shannon
14 land bank?

15 **MR. SHEEHY:** Yes, we knew the site that 15: 36
16 they were proposing to put
17 the LNG terminal on was on the Shannon land bank at
18 that stage.

19 **MR. McELLI GOTT:** You should have an opinion
20 on whether that site was a 15: 36
21 correct site so you are accepting that what they
22 proposed to put there, you are accepting that as a
23 given?

24 **MR. SHEEHY:** Well, we saw the options
25 given in the EIS. 15: 36

26 **MS. GRIFFIN:** I mean we elected people on
27 to Kerry County Council,
28 god help us, and placed our trust in them to do their
29 jobs properly and to say they spent taxpayers money

1 going to Boston to view a terminal, four people went,
2 I believe, I don't know why they needed four people,
3 and then when they come back they don't even bother to
4 write a report. I have contacted Kerry County Council
5 and asked them to provide information on the trip to 15: 36
6 Boston I, have done a Freedom of Information on it and
7 I have yet to receive an answer.

8 **MR. SHEEHY:** Mr. Inspector, I would much
9 rather be sitting here
10 today saying that I had gone to America at the 15: 37
11 taxpayers expense to see an LNG plant than have the
12 question posed to me 'did you write that Manager's
13 report without having ever seen an operational LNG
14 plant?'

15 **MR. McELLI GOTT:** If there ever is an 15: 37
16 accident in the Shannon
17 Estuary I and bank will you saying that you are glad you
18 didn't ask any safety questions when you were over
19 there?

20 **MR. SHEEHY:** We saw the safety 15: 37
21 procedures that they had in
22 place, we saw the safety procedures that they had in
23 place. The issues of health and safety with regard to
24 the advice to the Board is coming from the Health and
25 Safety Authority. I am not an expert in assessing 15: 37
26 Seveso II sites or in QRA risk assessment, the Health
27 and Safety Authority are experts in that.

28 **MR. McELLI GOTT:** Okay, Mr. Inspector,
29 I think we can take from

1 this so that the input of the Kerry County Council was
2 minimal which means now we are putting through an
3 application for a top tier Seveso II site direct to An
4 Bord Pleanála and it's really only at the initial
5 stages because what Kerry County Council had to offer, 15: 38
6 it was not complete, there was no risk assessments done,
7 there is no overall master plan for the area, the
8 rezoning was very questionable because there was no SEA
9 undertaken as per the SEA directive so really to
10 pretend to the general public that we spent two years 15: 38
11 preparing this project is a complete and utter
12 falsification of the facts. I really only considered
13 that the planning application only started since it
14 went to An Bord Pleanála because it is only now we are
15 getting the information. We need timely access to this 15: 39
16 information and timely access to go through everything
17 and we are only going through it now, do you get my
18 point?

19 **INSPECTOR:** Okay. Does anybody not on
20 the front row have 15: 39
21 questions for the Planning Authority. Mr. Fox?

22 **MR. FOX:** Just one question,
23 Mr. Inspector. Are the
24 Local Authority satisfied that they have complied with
25 their remit in regard to this particular project? 15: 39

26 **MR. SHEEHY:** Yes, Mr. Inspector.

27 **INSPECTOR:** Anybody else, Ms. Murphy?

28 **MS. MURPHY:** Mr. Inspector, we now have
29 extra copies of that plan

1 that we would like to make available to Shannon LNG and
2 yourself and we will leave a copy on the table as well,
3 if that's all right with you. (SAME HANDED)
4 **MR. O'NEILL:** I might, Sir, while
5 documents are being handed 15: 40
6 out, you did ask did we have a copy of the channel to
7 be constructed at the periphery of the pond embankment
8 if I can present that to the hearing, to you and to
9 members of the public. (SAME HANDED) That was the
10 channel referred to by Mr. Lynch. 15: 40
11 **INSPECTOR:** Ms. Murphy, do you wish to
12 say anything about these
13 drawings or are you just handing them in?
14 **MS. MURPHY:** I don't know if there is
15 any clarification that you 15: 41
16 yourself would like I would be happy to do so in
17 relation to them.
18 **INSPECTOR:** Do you want to think about
19 this?
20 **MR. O'NEILL:** If there are any issues in 15: 42
21 relation to it we will come
22 back to you, if you we don't say anything you can take
23 it we have no applications to make.
24 **MR. McELLI GOTT:** Mr. Inspector, we have a
25 few comments. We want to 15: 42
26 know how does that fit in with a bypass around the town
27 and how does it fit in with servicing the LNG terminal?
28 **MS. MURPHY:** The Tarbert Development
29 Association are satisfied

1 with these drawings and so far we are satisfied with
2 our deliberations with Kerry County Council in that
3 regard.

4 **MR. McELLI GOTT:** How do they propose that
5 the trucks coming from
6 Listowel, how do they propose they will go to the
7 Shannon LNG site, could you describe it please?

15: 42

8 **MS. MURPHY:** I don't have a traffic
9 management plan nor would
10 I be in a position to prepare it. I think that is
11 something that would come later between Kerry County
12 Council and the other authorities. Tarbert Development
13 Association would not have the expertise to deal with
14 traffic management plans.

15: 42

15 **MR. McELLI GOTT:** How can you spend 70,000
16 doing this thing up here
17 and not include a traffic management plan?

15: 43

18 **MS. MURPHY:** Sorry, I don't understand
19 the question.

20 **MR. McELLI GOTT:** The question is if you are
21 doing a plan for the town
22 and this is supposed to take into account as well the
23 development of the land bank, how can you do a plan
24 without taking into the development of the rest of the
25 land bank and the traffic management that will go
26 through it because all the road changes here, and going
27 opposite the national school, that has to take into
28 account traffic movement, sure this is ridiculous this
29 whole thing if you don't take into account that.

15: 43

15: 43

1 MS. MURPHY:

All that will have to be
referred to Kerry County

2
3 Council.

4 MR. SHEEHY:

Mr. Inspector, following on
from the preparation of the 15: 43

5
6 Tarbert Local Area Plan and submissions received from
7 Tarbert Development Association during the preparation
8 of that plan, Kerry County Council met with
9 representatives of the association and among the items
10 discussed were a plan for urban renewal and upgrading 15: 43
11 of the town; in other words, to have a future vision of
12 how the town should develop with regard to footpath
13 standards, street furniture and landscaping and things
14 like that. The Tarbert Development Association asked
15 us what was the best way to achieve that and due to the 15: 44
16 pressures the planning section was under we informed
17 them that we would not be in a position to do an action
18 area plan for the village of Tarbert or the town of
19 Tarbert in the short-term and suggested that if they
20 had funding available maybe they could employ an 15: 44
21 independent consultant to prepare such a scheme. The
22 development association subsequently employed Nicholas
23 Young to prepare these drawings which are preliminary
24 drawings. Now, the drawings have been made available
25 to us, but Kerry County Council have not even had an 15: 44
26 opportunity to look at them. They are very
27 preliminary, they are in no way considered either by
28 the Tarbert Development Association or ourselves as
29 being definitive or final in any regard. I think the

1 purpose of the Tarbert Development Association
2 submitting them was to indicate that they are working
3 on preparing a plan for the upgrading of the town. My
4 interpretation is that the plans have no more
5 significance than that and they are not meant to
6 demonstrate in any aspect how traffic should be managed
7 in the town.

15: 45

8 **MR. McELLI GOTT:** Also, Mr. Inspector,
9 I would it to be noted that
10 Tarbert development, whatever they are called, there is
11 no local town Council in Tarbert, they come under Kerry
12 County Council so whatever they are doing is purely
13 just a couple of individuals doing out some drawings,
14 they have no effect on the overall management plan in
15 Tarbert.

15: 45

16 **INSPECTOR:** They were invited to submit
17 the drawings.

18 **MS. GRIFFIN:** Could I just ask
19 Mr. Sheehy is it envisaged
20 that there will be a one-way traffic system?

15: 45

21 **MR. SHEEHY:** As I said the drawings are
22 very preliminary. The
23 Local Area Plan makes provision for that inner relief
24 road. As I said earlier while there is no proposals to
25 have a one-way traffic system that relief road there
26 certainly increases the options available in the
27 preparation of any traffic management plan. We haven't
28 even considered starting the preparation of such a plan
29 yet.

15: 46

1 MS. GRIFFIN: Just one more thing.
2 Bridewell Street, will
3 there still be parking permitted on both sides of
4 Bridewell Street especially if the Shannon LNG
5 development goes ahead? 15: 46

6 MR. SHEEHY: At this stage as I said
7 I haven't even looked at
8 those drawings, only a very preliminary glance that
9 I had at them. I haven't looked at them in any detail
10 or analysed them in any way. Anything like parking 15: 46
11 would be the subject of a traffic management plan.

12 INSPECTOR: Mr. McElligott?

13 MR. M. McELLI GOTT: Mr. Inspector, Michael
14 McElligott again. It's
15 disappointing as a layperson to sit back here and 15: 47
16 listen to people insult the likes of Tarbert
17 development who have come here with a plan. They
18 volunteered all their own time. I have to give them
19 credit and sometimes we may not see eye to eye, but you
20 know they are a terrific group, they have gone out of 15: 47
21 their way to get a plan for Tarbert, it's more than a
22 lot of other people in Tarbert have done. They are
23 here today trying to work with Shannon Development,
24 with Kerry County Council, with LNG and they deserve
25 credit. I mean any person in a community that 15: 47
26 volunteers their time and they have, Joan Murphy, John
27 Fox and Johnny Mulville here have put in numerous,
28 numerous hours working on that plan. It's very easy to
29 sit back and drag them down, but I think they deserve

1 massive credit for it. That's one point.

2
3 The second one is credit is also due to Kerry County
4 Council. It looks like they are covering all their
5 facts here on what they have read out and as far as a 15: 47
6 master plan for the land bank there is no developer
7 going to come in and buy a greenfield site where Kerry
8 County Council would say to them you can only build one
9 bedroom houses on this site, they don't want roads in
10 it because they will tailor the roads and services to 15: 48
11 suit their own needs. Shannon Development are correct
12 to be selling a greenfield site and then when they get
13 people interested bring them to Kerry County Council
14 and see how they can work it out. I take serious
15 offence to anybody bringing down the community groups 15: 48
16 in Tarbert that have volunteered their time week after
17 week for years. It is the hardest, hardest thing to do
18 and I think they deserve a round of applause, not
19 criticism.

20 **INSPECTOR:** Thank you, Mr. McElligott. 15: 48
21 Does that conclude
22 questions for the Planning Authority from the third
23 parties?

24 **MR. McELLI GOTT:** I would like to be able to
25 question them a little bit 15: 49
26 because we never really got a chance on the SCA
27 screening report, I never got to ask them directly, if
28 that's okay?

29 **INSPECTOR:** Sorry, on the which?

1 MR. McELLI GOTT: The SCA screening report
2 that was undertaken.
3 INSPECTOR: That's in relation to the
4 rezoning.
5 MR. McELLI GOTT: The rezoning. 15: 49
6 INSPECTOR: The zoning is a fact, it is
7 in place and if you succeed
8 in a challenge that is the position.
9 INSPECTOR: An Taisce.
10 MS. McMULLIN: Sorry, just one point, 15: 49
11 it's getting back to
12 something we discussed a bit earlier. In the Local
13 Authority report it was stated the Development Plan has
14 identified the potential of the lands the subject of
15 this application as being suitable for the development 15: 50
16 for deep water port facility. I don't want to get into
17 the argument of what is a deep water port, but when
18 I looked at these plans one of the things that struck
19 me where the LNG jetty is going to be is quite
20 obviously the part where the water is deepest. The 15: 50
21 rest of the Shannon Development lands down to
22 Ballylongford Bay, I presume you could still put out a
23 jetty from those lands, but I just wondered is the
24 water deep enough to still use it for deep water
25 facility or would it be for smaller boats coming in? 15: 50
26 INSPECTOR: I think that question would
27 be best answered by the
28 Applicants.
29 MR. O'NEILL: I think we haven't got

1 appropriate personnel here
2 at the moment to deal with that question, Sir.

3 INSPECTOR: Okay, Shannon Development.
4 MR. O'NEILL: Sorry, I didn't realise
5 Mr. MacIntyre was here, he 15: 51
6 can deal with that, I think.

7 MR. O'SULLIVAN: Mr. Inspector, Shannon
8 Development is satisfied
9 that the Shannon LNG jetty will have minimum impact in
10 relation to deep water access to the remaining Shannon 15: 51
11 Development lands and that at least one other deep
12 water access jetty is possible.

13 INSPECTOR: Does that conclude what
14 you want to say on that?

15 MR. O'SULLIVAN: Thank you. 15: 51

16 INSPECTOR: Mr. MacIntyre.
17 MR. MACINTYRE: Mr. Inspector, I would just
18 like to agree with the view
19 expressed by Shannon Development that the LNG jetty
20 does not obstruct the ability to construct at least one 15: 52
21 other deep water jetty extending from the Shannon LNG
22 land bank.

23 INSPECTOR: From the Shannon
24 Development land bank?

25 MR. MACINTYRE: The Shannon Development 15: 52
26 land bank.

27 INSPECTOR: So if you were to put a
28 jetty immediately adjoining
29 the Shannon LNG site on the remainder of the land bank

1 how far would you have to go out to get decent deep
2 water?

3 **MR. MacINTYRE:** It very much depends on the
4 depth of water you would
5 require for the shipping activity. It would have to be 15: 52
6 longer than the currently proposed jetty. I don't have
7 an exact scale here, but there is further adequate deep
8 water, I can see 17 metres here and extending further
9 out 18 metre deep water probably depending upon where
10 the jetty set off from half as long again as the 15: 53
11 currently proposed jetty.

12 **INSPECTOR:** Are you looking at a map in
13 volume 2?

14 **MR. MacINTYRE:** I am looking at 2.7 in
15 volume 3. 15: 53

16 **INSPECTOR:** Volume 3.

17 **MR. McELLI GOTT:** Mr. Inspector, that's not
18 very scientific just
19 pulling out a piece of paper and looking at it, that
20 needs to be done on a proper study. That's not a port, 15: 53
21 it's a jetty.

22 **MR. O'NEILL:** I am afraid it's an answer
23 to a question that was
24 raised by Mr. McElligott. We would be criticised if we
25 didn't answer if; if we do answer it we are criticised. 15: 53
26 I think Mr. MacIntyre has referred to a document which
27 forms part of the EIS, it's not just pulling a sheet
28 out.

29 **MR. McELLI GOTT:** Yes, but first of all there

1 is no written submission on
2 the other types of jetties or ports and I had asked
3 about a port facility, not jetties.

4 **MR. MacINTYRE:** Mr. Inspector, from my
5 almost 40 years of marine 15: 54
6 experience I would consider any jetty single or
7 otherwise which berths a ship to be classified as a
8 port for that ship. It is a port.

9 **INSPECTOR:** Thank you for that.
10 Mr. O'Sullivan. 15: 54

11 **MR. O'SULLIVAN:** Mr. Inspector, in relation
12 to the Shannon Development
13 lands, which are not the subject of the planning
14 application, it's a matter of public knowledge that
15 Shannon Development is at early stage discussions with 15: 54
16 SemEuro who have an oil importation project and clearly
17 SemEuro are fully aware of the Shannon LNG plans and
18 continue to be in early stage discussions with Shannon
19 Development. Thank you.

20 **MR. McELLI GOTT:** Mr. Inspector, if that's 15: 55
21 the case then they have to
22 do a risk assessment on the possible domino effect of
23 an accident one on the other before you can proceed.

24 **INSPECTOR:** This just hasn't happened
25 yet. The point I think is 15: 55
26 they are not put off by the Shannon LNG plant.

27 **MR. O'SULLIVAN:** Thank you, Mr. Inspector.
28 They are not put off and
29 again it's at early stage discussions, but the Shannon

1 LNG project is the only project where Shannon
2 Development has entered into a purchase option
3 agreement to allow space and time for technical studies
4 and public consultation to proceed through the planning
5 process. Thank you, Mr. Inspector.

15: 56

6 INSPECTOR: Now, I think we have
7 allowed third parties
8 enough time to question the Planning Authority. Do the
9 Applicants have any questions they wish to put or any
10 comment they wish to make on the conditions?

15: 56

11 MR. O'NEILL: Yes, I have one comment to
12 make on one of the
13 conditions, I will deal with that in closing, sir.

14 INSPECTOR: Okay. Does that conclude
15 the planning authority's
16 module? Okay, we will take, maybe, a ten minute break.

15: 55

17
18 SHORT ADJOURNMENT

19
20
21 THE HEARING RESUMED, AS FOLLOWS, AFTER A SHORT
22 ADJOURNMENT

15: 55

23
24 INSPECTOR: Okay, I think it is time to
25 resume, so if people would
26 take their seats again.

16: 17

27 MR. M. McELLI GOTT: Mr. Inspector, before we
28 start I just have one
29 request. The statement that was read out by

1 Mr. McElligott before we took lunch from Patrick Kelly
2 in Tarbert, is it possible to get a copy of that so we
3 as a Chamber of Commerce could respond to it in our own
4 time? Is it possible just to get a copy of that
5 statement? 16: 17

6 INSPECTOR: Mr. McElligott, do you have
7 a copy of that statement?

8 MR. J. McELLI GOTT: Yes. I can read it out
9 to him again if he wants.

10 MR. M. McELLI GOTT: No, I don't want it read 16: 17
11 out, I want a physical copy.

12 INSPECTOR: No, he wants a copy of it.

13 MR. J. McELLI GOTT: Yeah, if he photocopies it
14 I can give it to him, yeah.

15 MR. M. McELLI GOTT: I am sure there is someone 16: 17
16 there would accommodate a
17 photocopy. I would be willing to take it and get one
18 done myself.

19 MR. J. McELLI GOTT: I've no worries at all.

20 MR. M. McELLI GOTT: Okay, we have a man here 16: 17
21 that will get one done.

22 Thank you.

23 INSPECTOR: Okay. At this point it is
24 time to make closing
25 submissions, but before we do that I have a few odd 16: 18
26 questions, here and there sort of questions that I want
27 to put to the applicants.
28
29 First of all, in relation to the ships that will be

1 carrying the LNG, the largest ships envisaged are
2 265,000 m³ capacity. Do those ships exist at the
3 moment? Or are they being built? Or what's the
4 situation?

5 **MR. MacINTYRE:** Mr. Inspector, that size of 16: 18
6 ship is currently under
7 construction and the first one is due to enter service
8 around September of this year. I am not exactly sure
9 on the number but I think there are at least 12,
10 perhaps 15, of that size currently on order. 16: 19

11 **INSPECTOR:** Well, am I reading things
12 right if I think that
13 because of the size of that ship just one of your LNG
14 land tanks will not be sufficient to take its capacity?
15 You are talking about 265,000 m³ versus 200,000 m³. 16: 19

16 **MR. SHEARER:** I could answer that,
17 Mr. Inspector. That would
18 be one consideration. And in addition, I think
19 Mr. MacIntyre would confirm there are another series of
20 ships of 216,000 m³ capacity that are being introduced 16: 19
21 into service and the first one of those has just made
22 its initial delivery about a month ago. And those also
23 would require a storage tank of more than one storage
24 tank. So, that is one of the considerations as to
25 whether the initial build out is for one or two tanks. 16: 19

26 **INSPECTOR:** So, it is virtually
27 inevitable that the initial
28 build would be for two tanks, is it?

29 **MR. SHEARER:** I wouldn't go as far as to

1 say that, because those
2 ships are all currently dedicated to supply of LNG from
3 Qatar. If that was where we obtained the long-term LNG
4 supply from that would be something that they would
5 make a decision on, as part of the commercial 16: 20
6 negotiations. They also have a fleet of smaller size
7 ships that they may prefer to use, in which case it
8 would be feasible to consider a single tank initially.
9 But tank is not just a function of the ships, it is
10 also a function of the market profile. 16: 20

11 **INSPECTOR:** Okay. Now, you are seeking
12 permission for a 10 year
13 period and we have had concerns from local residents
14 about the level of nuisance that could give rise to.
15 The initial period would be four year construction 16: 20
16 period; is that right? And what is the total lead in?
17 I mean, if you got permission for this tomorrow.

18 **MR. SHEARER:** I think Mr. Bowdoin could
19 answer that more
20 accurately. My understanding is it basically occurs 16: 21
21 over a four year period and so the number of workers on
22 site follows kind of a normal distribution curve,
23 peaking at the midpoint almost of the four years at
24 around the 600 number and essentially starting at
25 almost nothing and, obviously, tailing off to almost 16: 21
26 nothing at the end of that period.

27 **INSPECTOR:** So, after the initial
28 period, whether it is for
29 one or two tanks, work stops on-site for a while. And

1 then it resumes but at a lower level; is that the
2 situation?

3 **MR. SHEARER:** Mr. Bowdoin will correct me
4 if I am wrong, but once the
5 initial site works is completed, for example, there is 16: 21
6 only going to be one jetty, there would not be any
7 change of modification of the jetty, which would be
8 constructed in parallel with the storage tanks, so that
9 workforce would not be required back on-site. So there
10 could be another phase, of an additional two storage 16: 22
11 tanks, say, that would occur some point behind the
12 initial peak and it would then decline over the same
13 time. But it might be slightly shorter in duration and
14 it would have a lower peak employment level.

15 **INSPECTOR:** And in terms of lorries 16: 22
16 going to the site?

17 **MR. SHEARER:** There would be less
18 equipment, generally, going
19 in on the expansion than there would be on the initial
20 phase, because if all the unloading facilities, the 16: 22
21 jetty, the piping, the pumps and everything else, the
22 unloading arms would all have been installed as the
23 initial phase and would not be duplicated. The
24 administration building would not be duplicated. The
25 pond being constructed would be a one time event. 16: 22

26 **INSPECTOR:** Thank you. We are now
27 coming to closing
28 submissions. As I explained, I think on Friday,
29 whether or not you like the idea of this project there

1 is an opportunity to suggest any conditions which you
2 would like to be imposed. Again, I just want to point
3 out to you that the operation of the facility, if it is
4 granted, will be subject to an Integrated Pollution
5 Control Licence from the EPA, so we cannot impose 16: 23
6 conditions in relation to pollution control for when
7 the site is operational.

8
9 So, I think at this stage I am going to open it to the
10 third parties. So, can I have somebody who wants to 16: 23
11 make a final submission? And it should be brief and to
12 the point and set out your position in relation to the
13 proposed development. So, Catriona Griffin.

14
15 MS. CATRIONA GRIFFIN PRESENTED HER CLOSING SUBMISSIONS 16: 23
16 AS FOLLOWS:

17
18 MS. GRIFFIN: Thank you Mr. Inspector.
19 Mr. Inspector, ladies and
20 gentlemen, I would like the following entered into the 16: 24
21 record as my closing submission. I have listened with
22 interest, and sometimes in disbelief, at the statements
23 made during this oral hearing. The bottom line is that
24 I am still not happy about this project as I believe
25 that there are serious safety concerns that have not 16: 24
26 yet been properly addressed. I am placing my trust in
27 An Bord Pleanála to force the State bodies to do their
28 jobs properly and not put our lives at risk.

1 The two big selling points that Shannon LNG used
2 initially to gain approval from the local population
3 were:

4
5 (1) That LNG regasifies on contact with air and 16: 24
6 disperses harmlessly. This myth was mentioned in
7 several of their newsletters, at the public meetings in
8 Ballylongford and Tarbert and again in a statement to
9 RTÉ's "Prime Time" programme. Shannon LNG's own LNG
10 expert, Dr. Raj, and numerous other experts, disproved 16: 24
11 this statement.

12
13 (2) Their second selling point was that Shannon
14 LNG would provide much needed local jobs and give a
15 boost to the local economies. To date Shannon LNG have 16: 24
16 bandied around the phrase "up to 50 permanent jobs", yet
17 when asked by Kilcolgan Residents Association, at a
18 meeting in Tarbert Community Centre, Missers Biggane
19 and Lynch from Shannon LNG refused to commit to how
20 many jobs would go to local people. Obviously, the 16: 25
21 senior positions will go to university graduates and
22 not to the locals, as is commonly believed.

23
24 I note that Shannon LNG took our alleged
25 representatives from Tarbert and Ballylongford to visit 16: 25
26 Milford Haven in Wales in order to see a LNG terminal
27 under construction so that we should know what to
28 expect here. If the Milford Haven experience was
29 anything to go by then we are definitely better off

1 without Shannon LNG. I have spent a considerable
2 amount of time researching the Welsh media and have
3 come across the following headlines relating to Dragon
4 LNG: -

5
6 "200 LNG workers axed after walk out"
7 "Jetty crash safety slip raises fears over LNG"
8 "Immigration swoop at LNG"
9 "LNG welder rushed to hospital"
10 "Workers strike at Dragon LNG"
11 "One missing after LNG barge collapses"
12 "LNG worker's body recovered from sea"
13 "Three hospitalised after LNG collision"
14 "Scaffolding fall hospitalises LNG worker"
15 "Workers down tools at LNG".
16 "LNG workers fired after turning down £4.90 per hour"

17
18 If these headlines are a sign of things to come then I
19 pity all of the souls that will be working at the
20 terminal.

21
22 My contacts in Wales have confirmed that they too were
23 won over by the promise of local jobs. Unfortunately,
24 the construction jobs have largely been filled by
25 non-nationals, who do not even reside in the area. The
26 Welsh feel that they have lost a lot more than they
27 will ever gain from the Dragon LNG project.

28
29 In my opinion, it is perplexing why the LNG terminal

1 pipeline, power supply line and road upgrades are all
2 subject to different planning applications. Surely
3 they should all be viewed together. It is almost
4 laughable that the HSA have not taken the gas pipeline
5 within the Shannon LNG site into consideration while 16: 27
6 doing their very rushed assessments. Surely they are
7 all interdependent and one could not exist without the
8 others. In my opinion, we have been seriously let down
9 by the State bodies in this instance.

10
11 Kerry County Council have cut corners to fast track
12 this project. Their refusal to carry out an SCA on the
13 site is in direct contravention of the SCA Directive.
14 The Seveso II Directive gives more rights to the public
15 in terms of access to information, as well as in terms 16: 27
16 of consultation. I have had to practically fight tooth
17 and nail to obtain information from the so-called
18 competent authorities. Some of the information I
19 requested has still not been received.

20
21 Four members of Kerry County Council travelled to
22 Boston to view the Everett LNG Terminal. On returning
23 from the US they decided it was not necessary to write
24 a report. At a Kerry County Council meeting last
25 November, Councillor Dan Kiely asked for more 16: 28
26 information on the Boston trip. I cannot recall what
27 answer he received. In any case, it was too late for
28 Counselor Kiely's input as the County Manager's report
29 had already been written.

1
2 Mr. Shearer quoted a figure of at least 60 years for
3 the gas supply remaining in the world as a
4 justification for investment in the LNG facility. In
5 fact, nobody really knows the amount of natural gas 16: 28
6 remaining. We cannot assume that there is 60 years
7 supply left when some of this gas has yet to be
8 discovered. What is fairly well known is that the
9 demand for natural gas is increasing all the time. The
10 Energy Information Administration in the US predicts an 16: 28
11 annual increase in natural gas consumption until the
12 year 2030 at 1.9% per year. Mr. Shearer informed us,
13 also, that the use of natural gas will triple by the
14 year 2015.

15
16 There were several factors that could decrease the
17 global supply even faster than expected.

18
19 1. Petroleum becomes more scarce and more expensive,
20 more focus will turn to natural gas. This is already 16: 29
21 happening and will press the market for natural gas.

22
23 2. Natural gas is also the main raw material in making
24 artificial fertiliser. As world population increase
25 and arable land area decrease more artificial 16: 29
26 fertiliser will be need to feed the global population.

27
28 3. The emerging world economies, i.e. China and India,
29 are consuming natural gas resources at an accelerating

1 rate and their demand will further increase the price
2 and reduce supply.

3
4 It is expected that natural gas supplies and prices
5 will be extremely volatile over the next half century 16: 29
6 and what is beyond any doubt is that one day, in the
7 not too distant future, the natural gas will be all
8 done. Source Energy Information Administration,
9 International Energy Outlook (2007).

10 16: 29
11 I note in the Shannon LNG brochures that they claim to
12 have had regular consultation with the local community.
13 The Kilcolgan Residents Association had extreme
14 difficulty trying to set up a meeting with Shannon LNG.
15 At one point we were told that Shannon LNG would only 16: 30
16 meet with the Tarbert Development Association and
17 Ballylongford Enterprise only and would not meet with
18 locals. Shannon LNG obviously have confused the words
19 "local community", as, in my understanding, people
20 living immediately adjacent to the site are more local 16: 30
21 than those living several miles away.

22
23 Tarbert Development Association and Ballylongford
24 Enterprise do not speak for the locals. We are more
25 than capable of speaking for ourselves. I have heard 16: 30
26 on the radio and television and read in the press that
27 95% of people in Tarbert and Ballylongford villages are
28 in favour of the project, according to Mistert Fox of
29 Tarbert Development Association and Lynch of

1 Ballylongford Enterprise. I would take serious issue
2 with these statements.

3
4 I was born in the area, went to school in the area and
5 my family are in the area for hundreds of years. I can 16: 31
6 confirm absolutely that I know just as many people
7 locally as Misters Fox and Lynch. I have had people
8 from the villages ringing me and meeting me
9 face-to-face with wishes of good luck and saying that
10 they themselves are also opposed to the project but do 16: 31
11 not want to voice their opinions in case of a backlash
12 from the surrounding communities. I myself have
13 experienced this backlash first hand. Over the past
14 week I have seen many people in the audience from
15 Tarbert and Ballylongford who are also against this 16: 31
16 project.

17
18 Why are Shannon LNG putting profit before safety?
19 In-ground or underground storage tanks would be
20 considerably safer, but will not be entertained by 16: 31
21 Shannon LNG. A closed loop vaporiser system would be
22 more environmentally friendly. But, again, Shannon LNG
23 are planning for a larger profit by making do with an
24 open loop vaporiser system, which will release 100
25 million gallons of chlorinated seawater per day into 16: 31
26 the Shannon Estuary. People can't seem to be able to
27 accept that this company is part of a multinational
28 American company. They are investing in this project
29 for one reason and one reason only. To make money.

1
2 Why should I lose out financially? My home will be
3 devalued by 30%. I will have to pay out more each year
4 for home insurance. That's assuming, of course, that
5 my property will still be insurable. I will have to 16: 32
6 deal with noise, dust, heavy traffic and influx of
7 strangers into the area, and will have to adapt to
8 living next door to a building site for years to come.
9 And all so that Shannon LNG can make a profit and the
10 local politicians and Shannon Development can pat 16: 32
11 themselves on the back for a job well done, in their
12 opinions.

13
14 I could speak forever on this subject but I won't. I
15 believe that this project, should it go ahead, will be 16: 32
16 to the detriment of the health and well being all life
17 in the area, be it human, flora or fauna.

18
19 In my opinion, the State bodies have seriously let us
20 down so that a decision can be reached by the all 16: 32
21 important date of 31st March, 2008. I think this is
22 totally unacceptable. Surely we are worth more than 18
23 weeks.

24
25 This project needs to be looked at in the long term. 16: 33
26 When everybody here is back sitting at their desks
27 miles away, we will have to live with this terminal day
28 in, day out. I plead with you, Mr. Inspector, and with
29 An Bord Pleanála to reject this proposal and let

1 Shannon Development be proactive and find a safe
2 industry for our Landbank that will bring jobs and
3 prosperity to the area. Thank you.

4
5 END OF CLOSING SUBMISSION BY MS. GRIFFIN

16: 33

6
7 INSPECTOR: Thank you Ms. Griffin. Do
8 we have another final
9 submission? Okay, An Taisce.

16: 33

10
11 MS. McMULLIN PRESENTED HER CLOSING SUBMISSION, AS
12 FOLLOWS, ON BEHALF OF AN TAISCE:

13
14 MS. McMULLIN: Thank you. Just a few
15 closing words, and thank
16 you, Inspector, too, for the patient with which you
17 have listened to us all over the last seven days.

16: 33

18
19 We mentioned earlier today about its a pity that there
20 wasn't a master plan for the Shannon Development lands.
21 There is a logic to that, although I don't know how one
22 could carry it out. What we would be concerned about
23 is only half the land is being used up for this
24 particular project and we feel it is vital to check
25 that it won't sterilise the rest of the land and
26 prevent other industries coming to use it.

16: 34

27
28 The QRA assessment, which was submitted to the HSA.
29 Now, I understand the applicants were told to just

1 submit it to the HSA so it didn't become part of the
2 EIS, as such. In fact, it was not made readily
3 available to people. I think when we are dealing with
4 a project like this, that has so many implications for
5 local residents, that, obviously, openness and 16: 34
6 transparency is of prime importance. If things are not
7 put on public display we might feel that information is
8 being hidden. I myself found this report very
9 interesting. There was information in it that was not
10 readily available in the EIS. Now, there were a lot of 16: 35
11 equations that, I am afraid, conveyed nothing to me.
12 But we will take it that the experts knew what it was
13 about. But, again, if it had been on public display I
14 could probably have got someone with the right
15 qualifications to help me to check it, that it was 16: 35
16 okay. I would like to suggest, and perhaps you could
17 bring this message back to An Bord Pleanála, that in
18 future, with these types of applications, that the QRA
19 report should be available for inspection in the local
20 authority planning offices. I think it would save a 16: 35
21 lot of argument and fears amongst people.

22
23 Re-zoning has been brought up and the lack of an SCA.
24 I think I mentioned earlier, too, that An Taisce
25 believes that in this case that the SCA should have 16: 35
26 been carried out. But that is something that will have
27 to be investigated in another way.

28
29 The planning authority mentioned in their report

1 regarding protected structures that there were none on
2 the site or in the immediate vicinity. But we had an
3 excellent presentation from Dr. Downey about Ralappane
4 House and it is quite obvious it is a structure that
5 should be protected. It was pointed out that it is not 16: 36
6 on the official NIAH list. But my experience, again in
7 Kerry, is that there are an awful lot more buildings
8 that are not on that list but which are well worthy of
9 protection. In fact, some of them are finer examples
10 even than the ones that are on the list. I gather that 16: 36
11 the department had only limited resources and were not
12 able to do the real on the ground investigation you
13 would need to do to identify all these buildings.

14
15 It has implications. The house is just below where the 16: 37
16 tanks will be sited and, certainly, in the EIS there
17 was a photomontage which showed the tanks up behind the
18 house. If some way could be used to provide more
19 screening to prevent them being seen from that view
20 point I think it would be a great help. 16: 37

21
22 The visual impact. Again, the planning authority seem
23 happy enough with it. Personally, I think it is
24 something that should be looked at seriously. We were
25 glad to see that the tanks won't be the bright white 16: 37
26 that were shown in the photomontages and that they will
27 with the colour of cement. Sometimes cement can be a
28 horrible dull, dingy colour, but I suppose one can
29 always adapt the colour if it doesn't turn out right.

1 But at least they are not tied to the bright white.

2
3 Screening is, obviously, going to be a problem, because
4 of the height of them. But maybe, again, the
5 applicants could look at how, maybe, a bit more
6 planting around boundaries might help reduce the impact
7 of it.

16: 38

8
9 The Clare County Council made a submission pointing out
10 that it was impacting on the view from one of their
11 listed views and prospects. While I appreciate that
12 legally Clare County Council can only use that to deal
13 with planning applications on their own land, on the
14 Clare side of the border, still the photomontages show
15 that the view itself is a fine view across the estuary
16 and the proposed tanks certainly have quite a big
17 impact. So, again, maybe a bit of screening from that
18 direction might help, too.

16: 38

16: 38

19
20 Finally, I would just like to talk about the access to
21 the shore. We had discussion again early today about
22 the road that is used at the moment as a means of
23 access to the shore. It is not a public road we have
24 been told, and probably not. But I feel most of it
25 runs along the boundary between this development and
26 the remainder of the Shannon Development lands and I
27 can't see why arrangements could not be made for a
28 public road from the adjoining roadway down to the
29 shore. It is not the highest amenity, obviously, if

16: 39

16: 39

1 you have got big developments on both side of you, but
2 it is still nice to have some place, maybe, where you
3 can get out and walk by the shores of the Shannon. I
4 feel that it should be considered as something to be
5 kept, along the boundary between both sites, a suitable 16: 40
6 road and car parking at the end of it, so that local
7 people could still get access to the seashore.

8
9 I know now when Kerry County Council do big works, such
10 as road works, it has become a policy to supply a work 16: 40
11 of art to commemorate the completion of the
12 development. Maybe we could call upon, not only
13 Shannon LNG but whatever company will occupy the other
14 side of the site, to consider providing some little
15 public amenity for the people who have to live in close 16: 40
16 proximity to their developments.

17
18 So, we would like to ask An Bord Pleanála to look
19 seriously at all these considerations before making a
20 decision in this case. Thank you. 16: 41

21
22 END OF CLOSING SUBMISSION BY MS. MCMULLIN OF AN TAISCE

23
24 INSPECTOR: Thank you. Another
25 contributor? Okay, 16: 41
26 Mr. Fox.

MR. FOX PRESENTED HIS CLOSING SUBMISSIONS, AS FOLLOWS:

MR. FOX: Mr. Inspector, I want to complement you on the manner in which this particular hearing was conducted. I don't think anybody can go away from here today and not feel that they got their fair opportunity to say their piece and to ask their questions. We may not have got 100% but, to quote Dr. Havens, "to the certainty of what is practicable", we certainly got that.

In all the points that I raised in my personal submission I am more than satisfied that the people on all sides were open about their particular input to it, the experts from one side or the other. I looked at it and I see that 20 of the 21 points that I made have been addressed. I am not going to make a judgment on what the outcome will be, but I wish the Inspector and An Bord Pleanála well in their deliberations.

I grew up in a part of Co. Clare, it is known to some people, or was then known to some people as The Base. It became more commonly known as Rinana (?) and then it became known as Shannon Airport. That came from a very small idea by Dr. Brendan O'Regan about how to develop industry in the area. When I was growing up in Co. Clare in the 50's -- I came to Kerry in the late 60's -- work was scarce until the Shannon project

1 came along, the Shannon Airport project, or The Base.
2 Since then it has never looked back, there has been
3 loads of employment.
4

5 I look forward to this particular project coming as 16: 42
6 well and being a catalyst, just as that first project
7 was in Shannon. I, on behalf of myself in the first
8 instance, and the people that I have worked for in
9 Tarbert, Tarbert Development Association, for the last
10 eight years continually and on and off before that, I 16: 42
11 have to say I am very pleased with the conduct of this
12 hearing and I wish you well, Mr. Inspector. Thank you.
13

14 END OF CLOSING SUBMISSION BY MR. FOX

15 16: 43
16 INSPECTOR: Thank you, Mr. Fox.
17 Mr. McElligott.
18

19 MR. MICHAEL McELLI GOTT PRESENTED HIS CLOSING
20 SUBMISSIONS, AS FOLLOWS: 16: 43
21

22 MR. McELLI GOTT: Thank you, Mr. Inspector.
23 Michael McElligott, Tarbert
24 Chamber of Commerce, and I am here representing the
25 majority of the business people in Tarbert. I want to 16: 43
26 reiterate John Fox's words. We are absolutely
27 delighted that LNG are coming to Tarbert. I think it
28 is going to be a tremendous boost for the community,
29 both economically and socially. It is what we need to

1 keep our village alive, going forward. The Landbank
2 has been idol for so long, it has been idol for longer
3 than most of us have been alive and it is time that
4 industry came to it.

16: 43

5
6 I want to wish everybody well. I want to thank Kerry
7 County Council, Shannon Development, Shannon LNG,
8 Tarbert Development, Ballylongford Enterprise for doing
9 a terrific job in putting all the information out
10 there. While the Kilcolgan residents have put up a
11 great fight, I don't think there is enough information
12 there to stop this development. So, I would urge An
13 Bord Pleanála to pass this development, the sooner the
14 better so work can begin and we can start reaping the
15 benefits. Thank you.

16: 44

16: 44

16
17 One other thing. I am still waiting for that statement
18 from Johnny McElligott, to have it copied. If he could
19 pass it back I have a gentleman here will copy it.

20 **MR. J. McELLI GOTT:** You can go back to source.

16: 44

21 **MR. M. McELLI GOTT:** It will go back to the
22 source. You see, you can't
23 read statements out in a public hearing and then not
24 make them public. I just don't understand that,
25 Inspector. If a statement was read out here
26 criticising my involvement here at this hearing and now
27 its not being made public I can only assume that it is
28 something that was made up, that it doesn't exist.
29 And, therefore, it should be stricken from the record.

16: 44

1 If it is available, it should be available for copying.
2 I have a gentleman here ready to make a photocopy and
3 then we will deal with it and address it. I don't
4 think that's a lot to ask.

16: 45

6 END OF CLOSING SUBMISSION BY MR. MICHAEL McELLI GOTT

8 INSPECTOR: Thank you, Mr. McElligott.
9 I think just let it go.

10 INSPECTOR: Now, do we have another
11 contributor?

16: 45

14 MR. J. McELLI GOTT: Mr. Inspector, is this
15 finishing this evening, or
16 is it on tomorrow morning? We have not finished our
17 submissions.

16: 45

18 INSPECTOR: I would be very surprised
19 if it finishes this
20 evening.

16: 45

21 MR. J. McELLI GOTT: The Killorgan Residents
22 Association would prefer to
23 make their statement in the morning, because we need to
24 update it following today's proceedings. If that's
25 okay.

16: 45

26 INSPECTOR: Well, does anybody else
27 wish to make a concluding
28 statement,

29 MR. LYNCH: The Ballylongford

Enterprise Association would prefer to wait until tomorrow morning as well to make a statement. We have not prepared anything at this stage.

INSPECTOR: Well, you did get a schedule of the intended procedures and I think you should have been thinking about this before this,

16: 45

MS. JOAN MURPHY PRESENTED HER CLOSING SUBMISSIONS AS
FOLLOWS:

16: 46

MS. MURPHY: Joan Murphy, Tarbert Development Association. I will be quite brief in my final submission.

16: 46

I took on board what you suggested last Friday evening, to refer back to the minutes of Tarbert Development Association, and I was fortunate to be able to go back almost the 52 years in which the development Association has been in existence.

16:46

In 1957 -- and I am not making a mistake -- 1957, a prestigious British journal known as "The Statist" published an article about the Shannon Estuary. In that article it suggested that the Shannon Estuary was one of the finest natural waterways in the world and it should be developed similar to the lines of Tokyo and Singapore. Unfortunately, it hasn't become either a

16:46

1 Tokyo or a Singapore, in terms of development. In the
2 50 odd years since that was published it has taken
3 until now -- that's a full 51 years -- before a
4 concrete proposal has come to the Shannon Estuary in
5 relation to that particular part of the land zone
6 between Tarbert and Ballylongford.

16: 47

7
8 For the last seven days I have been here, I have
9 listened to all the witnesses, experts, who have come
10 and put forward their expert opinions. I have taken
11 great comfort, really, in most of what I have heard.
12 From the onset Tarbert Development have said we welcome
13 this development subject to proper planning,
14 sustainable development and, indeed, safety. We never
15 once said that we were welcoming development just for
16 the sake of getting development.

16: 47

16: 48

17
18 I have found this process to be open, transparent. I
19 have found the Inspector to be very patient and allowed
20 people plenty of opportunity to ask the questions that
21 they wanted answers to. And I thank you Mr. Inspector
22 for that. So, all I can say is I hope that in your
23 deliberation, and in the deliberation of An Bord
24 Pleanála, that all the information that has been
25 gathered, both in the EIS and in the submissions over
26 the last 7 days, will be taken on board and that we in
27 Tarbert will accept whatever conclusion you come to.
28 Thank you very much, Inspector.

16: 48

16: 48

END OF CLOSING SUBMISSION BY MS. MURPHY

INSPECTOR: Thank you, Ms. Murphy.
Sorry, could I have your name again,

MR. THOMAS O' DONOVAN PRESENTED HIS CLOSING SUBMISSIONS
AS FOLLOWS:

MR. O' DONOVAN: Thomas O' Donovan. Thank you Mr. Inspector. I reiterate what Joan Murphy has said here, that it is a great opportunity to voice our concerns and our hopes and everything else, and it has been very fair to all sides. I would like to make, maybe, my final submission as this is the module today. I would like to see, in the event that LNG are granted permission, that -- you know, there are new laws coming down every so often, especially from the EU, and, basically, we have some sovereignty but we don't have -- you know, there are a tremendous amount of laws coming in all the time, which we are, I suppose, legally bound to respond to, or to obey if you like. This is a huge thing now, climate change. What the EU do is they make these laws all the time to try to mitigate, if you like, or try to slow down global warming. Which is a good thing.

Now, I would like to see that if there was no guarantee

1 that LNG would be supplying gas for a number of years,
2 if the law came down that it was superfluous to the
3 needs, especially of Ireland, because, like Kathy
4 Sinnott said yesterday, it was basically a storage on
5 the western part of Europe to supply Europe, because 16: 51
6 they found a less populated area to place it. So, it
7 is my understanding that it is not just for Ireland
8 alone. I would like a submission, and maybe a
9 condition, that if in the event that laws coming from
10 Europe that say this gas importation and storage and 16: 51
11 distribution is no longer necessary that the LNG, if
12 the tanks were up, that a condition would be that they
13 would dismantle them and leave the area in as pretty
14 close to the state that they found it. Because this
15 would be my, you know. 16: 52

16
17 I wish everybody luck. As I say, thanks again for
18 your -- and of course the safety. The road safety is
19 vital, too. It would contain a lot of traffic.
20 Traffic is tremendous in Tarbert in the mornings, 16: 52
21 especially in the summertime, coming off the ferry and
22 going on the ferry. It is a throughput from Limerick,
23 and the west of Ireland to a large extent, and that
24 there should be some mechanism put in place that would
25 be for safety, the safety of older people and people 16: 53
26 with young families. That there would be some
27 mechanism put in place that they'd be safe. I
28 mentioned the zebra crossing yesterday, the pedestrian
29 walk-ways, that they'd be placed in front of national

1 schools and secondary schools. You know, that the
2 people that would be walking, the pedestrian, would
3 have equal rights to the road, that they would be able
4 to cross the road, in other words, with safety. That's
5 about it. Thank you very much, Mr. Inspector.

16: 53

6
7 END OF SUBMISSION BY MR. O' DONOVAN

8
9 INSPECTOR: Thank you Mr. O' Donovan.
10 Anybody else ready to make
11 a final submission or wish to make a final submission?
12 What about the planning authority?

16: 53

13
14 MR. SHEEHY, ON BEHALF OF KERRY COUNTY COUNCIL,
15 PRESENTED HIS CLOSING SUBMISSION AS FOLLOWS:

16: 53

16
17 MR. SHEEHY: Mr. Inspector, we have a
18 brief final submission to
19 make.

16: 53

20
21 Having consider the application submitted and the
22 accompanying EIS, as well as the evidence given to the
23 Board at this oral hearing, and having regard to the
24 planning history of the site and adjacent lands, the
25 strategic importance of the proposed development, both
26 nationally and regionally, national policy as expressed
27 in the National Development Plan, National Spatial
28 Strategy and the National Planning Change Strategy for
29 Ireland and Government policy in relation to energy

16: 54

1 supply, having regard to the legislative requirements
2 to obtain licences from the EPA in relation to the
3 proposed activity, having regard to the policies,
4 development objectives and the conservation and amenity
5 provisions of the current Kerry County Development 16: 54
6 Plan, the zoning of the land and having regard to the
7 strategic deep water nature and development potential
8 of this site it is the opinion of the planning
9 authority that the proposed development, subject to
10 satisfactory response from the HSA and to appropriate 16: 54
11 conditions mitigating the impacts, is in accordance
12 with the proper planning and sustainable development of
13 the area.

14
15 END OF CLOSING SUBMISSION BY MR. SHEEHY 16: 54

16
17
18 INSPECTOR: Thank you Mr. Sheehy.

19
20 MR. OGIE MORAN (SHANNON DEVELOPMENT) PRESENTED HIS 16: 55
21 CLOSING SUBMISSIONS AS FOLLOWS:

22
23 MR. MORAN: Ogie Moran, Inspector.
24 Shannon Development, just a
25 few final comments. The Shannon Development fully 16: 55
26 support the application of LNG. We believe strongly
27 the project is of national significance and will bring
28 very real, tangible economic benefits to the area. We
29 believe the project will not sterilise the remaining

1 land and, also, the remaining land will have access to
2 deep water.

3
4 We do care very much about the Landbank and are very
5 happy that we have worked hard to attract industry. We 16: 55
6 done this in association with the Local Development
7 Associations in both Tarbert and Ballylongford and we
8 look forward to the project going ahead.

9
10 END OF CLOSING SUBMISSION BY MR. MORAN 16: 55

11
12 INSPECTOR: Thank you Mr. Moran.

13
14 MR. NOEL LYNCH PRESENTED HIS CLOSING SUBMISSIONS AS
15 FOLLOWS: 16: 56

16
17 MR. N. LYNCH: Mr. Chairman, I must
18 apologise. I didn't
19 realise that you had pencilled in this evening for
20 finishing up. I thought it was tomorrow. So I will 16: 56
21 just read out a brief statement if that's okay.

22 INSPECTOR: Okay.

23 MR. N. LYNCH: Like the others, I welcome
24 the debate here over the
25 last eight days. It was certainly very informative and 16: 56
26 we hope that all of the questions that people had have
27 been answered.

28
29 In relation to Ballylongford, just to say that the

1 economic life in Ballylongford is very rapidly coming
2 to a standstill, having been declining for the past
3 number of years. We don't have a Chamber of Commerce,
4 we don't have enough businesses for that. We don't
5 have a car ferry, and ESB power station or a large
6 secondary school.

16: 56

7
8 Within the last 25 years we have lost a hardware store
9 employing over 40 people, a bakery employing 20 and a
10 creamery employing about 6. Last year we had three
11 small supermarkets in the village. This year we have
12 two. We have fabulous tourist attractions in our area,
13 but, unfortunately, the income generated from these
14 don't bring much jobs, or its minimal. We have an
15 oyster festival running now for about 14 years and,
16 again, declining numbers are having a huge impact on
17 that.

16: 56

16: 57

18
19 This year the CSO recorded figures for the village
20 between 1991 and 2002 showed a decline of 19% in our
21 population. Between the years '02 and '06 a 4.4%
22 decline.

16: 57

23
24 We badly need economic development and we believe that
25 this project, this LNG terminal, is a safe, clean
26 industry. Having listened to what was said here for
27 the past eight days we are satisfied that all the
28 safety requirements can and will be met and will be
29 enforced by the Health and Safety Authority and by the

16: 57

1 local authorities.

2
3 We have listened to all the experts and are quite happy
4 that this proposal is welcome and is necessary in our
5 area. I would agree with the sentiments echoed by 16: 58
6 Paddy Power earlier, last week, when he said that this
7 is the right project in the right place at the right
8 time. Thank you Mr. Chairman.
9

10 END OF SUBMISSION BY MR. LYNCH 16: 58

11
12 INSPECTOR: Thank you Mr. Lynch. Any
13 other contributions?

14 Sorry, Mr. Fox, I think you have already made a final
15 submission. 16: 58

16 MR. FOX: Just a point of
17 clarification. Is this
18 likely to finish this evening? Will extending it an
19 hour make any difference? Some of us have jobs to go
20 to, and while I love being here it is costing me annual 16: 58
21 leave.

22 INSPECTOR: Right. Well, I don't know
23 that it is strictly
24 necessary that you be here. But Mr. McElligott doesn't
25 seem to be ready to make a final submission and I 16: 59
26 think, in the interests of fairness, that we will have
27 to facilitate him first thing tomorrow morning.

28 MR. J. McELLI GOTT: There is also the other
29 neighbours as well that

1 want to make individual final statements as well. They
2 only thought they would be here in the morning also, so
3 that's why. I am not the only one actually that wants
4 to make a final statement.

5 INSPECTOR: Okay. Well, I think in the 16:59
6 interest of fairness we
7 will have to adjourn until tomorrow morning. I will
8 see people at 10 o'clock again tomorrow morning. Thank
9 everybody.

10 MR. O'NEILL: Thank you, sir. 16:59

11
12 THE HEARING WAS THEN ADJOURNED TO WEDNESDAY, 30TH
13 JANUARY, 2008 AT 10:00 A.M.
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