



*Safety before LNG*  
Protecting the Shannon Estuary and its people

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## Strategic Gas Emergency Reserve Bill 2025

**Joint Committee on Climate, Environment & Energy submission from ‘Safety Before LNG’ as part of the Pre-Legislative Scrutiny of the Strategic Gas Emergency Reserve Bill 2025**

Joint Committee on Climate, Environment & Energy  
[climateenvironment@oireachtas.ie](mailto:climateenvironment@oireachtas.ie).

**29th January 2026**

<https://www.oireachtas.ie/en/committees/making-a-submission/public-consultations/20260122-invitations-for-submissions-as-part-of-pre-legislative-scrutiny-of-the-strategic-gas-emergency-reserve-bill-2025/>

## **1. EXECUTIVE SUMMARY - Corruption Accusation against Irish Department of Energy attempts to fast track State LNG Terminal masquerading as a Strategic Emergency Gas Reserve :**

'Safety Before LNG' is accusing the Irish Department of Climate, Energy and the Environment of corruption and a move towards authoritarianism in going beyond its remit in attempting to pass legislation for the commercial operation of a State-owned LNG terminal on the Shannon Estuary masquerading it as a strategic emergency gas reserve. The current Government, in March, only approved the construction of an LNG terminal that would only be used if one of the gas interconnectors from the North Sea via Scotland were lost. The Government did not approve the commercial operation of an LNG terminal supplying 13% of the current Irish gas market, as is now proposed by the Department through fast-track legislation.

The legislation proposes giving Minister Darragh O'Brien sole power to bypass all existing planning laws, compulsory purchase laws, maritime area consents, climate laws and agreed energy policy in Ireland to be the only person to give legal consent for any kind of LNG terminal, public or private, under the false pretence that the terminal would not be an entry point for gas in Ireland and would not be commercially operated as is proposed by New Fortress Energy's Shannon LNG project.

Even partisans of an LNG terminal in Ireland and members of government parties should be seriously concerned by the unacceptable worrying trend towards authoritarianism in the laws currently proposed in Ireland signalling a power grab to remove all administrative, public, legal and legislative oversight of critical, major political decisions being made by a smaller and smaller number of people in Ireland.

The outcome of this proposed legislation would be for the Minister to be able to commission the State-owned Gas Networks Ireland (GNI) to apply to him for the planning permission to build his State-owned LNG terminal after writing the enabling legislation for himself - and for which his officials requested should bypass pre-legislative scrutiny. There would be no checks and balances in the approval process and even if one supports this project in a partisan manner, this fact still raises numerous red flags on good governance and good old corruption but in 2026-style. It is a power grab for major national decisions benefiting the fracked gas fossil fuel sector to be in the hands of one man, under false pretences, which in our mind represents corruption of the planning process. Our forefathers, founders of the State, will be turning in their graves with the carry on and the total disregard for the laws built up over the last hundred years in the Republic.

This chilling analysis and accusation of corruption by 'Safety Before LNG' against the Department needs an urgent investigation by the Joint Committee on Climate, Environment and Energy as it undertakes pre-legislative scrutiny on the proposed bill to fast track a State-owned Shannon LNG terminal masquerading as a simple gas storage project, which the Minister's officials also tried to bypass.

## 2. **Corruption!**

This is what State-level, broad-daylight corruption looks like in 2026 in Ireland. We are shocked at the blatant corruption and disregard for good governance, public, legal and administrative oversight, due process and proper planning by the Department of Climate, Energy and the Environment's misrepresentation of the Energy Security Strategy document ([published](#)<sup>1</sup> by the Government on November 15th, 2023) as the basis for its proposal to legislate for the "deapplication" of the entire planning permission process for the largest fossil-fuel infrastructure in Ireland - a State-owned fracked gas import LNG import terminal on the Shannon Estuary. It is a criminal offence in Ireland, under the [Criminal Justice \(Corruption Offences\) Act 2018](#)<sup>2</sup>, to abuse entrusted power for private gain of oneself or others and to corruptly create or use documents known to contain false or misleading statements with the intention of inducing others to do an act in relation to his or her office to the prejudice of others. We believe that this is exactly what is happening here with the manner in which the conclusions and recommendations from the Policy on the Importation of Fracked Gas and the Energy Security Strategy documents are being misapplied in the proposed Bill in its current format.

The major sleight of hand is that the Department has signalled that it will actually operate the infrastructure commercially, even though the government has only approved the construction of a state-owned LNG infrastructure but not its operation.

In March 2025, the current government approved the construction of a State-owned Floating LNG terminal that would be used in emergencies only (if the undersea interconnectors failed), would not be a new entry point for gas into the market, would not be commercial like the proposed Shannon LNG terminal, would not increase the supply of gas to the market and would be compatible with the Climate Act. There is a distinction between building the Floating Storage Regasification Unit (FSRU) and commercially operating it by importing gas to that floating terminal. An FSRU is a supply mechanism. It cannot store gas for any reasonable time due to boil off. The Department has admitted that if it starts supplying gas to the floating storage unit, the gas will have to be pumped into the national gas network due to boil off gas. In fact, up to 6 tankers a year will be needed, representing 13% of the country's current gas demand or, in other words, the gas supply of 600,000 homes consistently over the entire year, almost the equivalent of [the entire 680,000 domestic gas users](#)<sup>3</sup> in the country. The corruption is that the Department insists, that with gymnastics of language, it can just wave a magic wand and identify the project as emergency-use-only when it is not, that it will be deemed by this Bill to comply with the Climate Act when it does not, that the Planning laws will not apply to it because the Minister will decide on his own planning application where legal or legislative oversight will be limited as much as possible, that it will

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<sup>1</sup> <https://www.gov.ie/en/publication/5c499-energy-security-in-ireland-to-2030/>

<sup>2</sup> <https://www.irishstatutebook.ie/eli/2018/act/9/enacted/en/print.html>

<sup>3</sup>

<https://www.independent.ie/irish-news/row-over-shannon-lng-plans-back-in-high-court-with-potential-for-wide-reaching-implications/a1113499240.html>

not increase the supply of gas into the country even though it is clearly a new gas entry point supplying 13% of the country's gas - the equivalent of the entire domestic gas needs in the country, and that the Minister and his Department stay silent on the likes of the private commercial Shannon LNG project application even when requested to do comment on it by An Comisiún Pleanála. That is the State-level corruption in 2026 Ireland. And it gets worse.

### 3. ***Authoritarianism!***

This proposed Bill, taken in the current unstable international geo-political context, along with other proposed Bills including, but not limited to, the [Arbitration \(Amendment\) Bill 2025](#)<sup>4</sup> (allowing for the enforcement of awards made by tribunals established under international agreements), the proposal to introduce a chilling scale of fees for environmental judicial reviews under section 294 of the Planning and Development Act 2025 ([Scale of Fees](#)<sup>5</sup>), the [Defence \(Amendment\) Bill 2025](#)<sup>6</sup> (allowing for the removal of the triple lock) and the [request](#)<sup>7</sup> by Department officials in January for "the agreement of the Joint Committee on Climate, Environment and Energy to a waiver from pre-legislative scrutiny", signals an unacceptable worrying trend towards a power grab to remove all administrative, public, legal and legislative oversight of critical, major political decisions being made by a smaller and smaller number of people in Ireland.

4. The outcome of this proposed legislation would be for the Minister to be able to commission the State-owned Gas Networks Ireland (GNI) to apply to him for the planning permission to build his State-owned LNG terminal after writing the enabling legislation for himself - and for which his officials requested should bypass pre-legislative scrutiny. There would be no checks and balances in the approval process and even if one supports this project in a partisan manner, this fact still raises numerous red flags on good governance and good old corruption but in 2026-style. It is a power grab for major national decisions benefiting the fracked gas fossil fuel sector to be in the hands of one man, under false pretences, which in our mind represents corruption of the planning process. Our forefathers, founders of the State, will be turning in their graves with the carry on and the total disregard for the laws built up over the last hundred years in the Republic.
5. Of further concern is that the Department officials [informed](#)<sup>8</sup> the Committee in January that this Strategic Gas Emergency Reserve Bill 2025 will be followed up by the main Bill, the Strategic Gas Emergency Reserve (Amendment) Bill to provide for the operation, use and cost of the LNG terminal. This effectively means that the current Bill is to provide for

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<sup>4</sup> <https://www.oireachtas.ie/en/bills/bill/2025/74/>

<sup>5</sup>

<https://www.gov.ie/en/department-of-climate-energy-and-the-environment/consultations/consultation-on-the-regulation-of-costs-payable-in-matters-prescribed-on-foot-of-section-295-of-the-planning-and-development-act-2024-scale-of-fees/>

<sup>6</sup>

[https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2025/2025-10-10\\_briefing-paper-defence-amendment-bill-2025\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2025/2025-10-10_briefing-paper-defence-amendment-bill-2025_en.pdf)

<sup>7</sup> [https://drive.google.com/file/d/1PNflUpwwcgeG3iDseiCtY-HWe8Mh12rU/view?usp=drive\\_link](https://drive.google.com/file/d/1PNflUpwwcgeG3iDseiCtY-HWe8Mh12rU/view?usp=drive_link)

<sup>8</sup> [https://drive.google.com/file/d/1PNflUpwwcgeG3iDseiCtY-HWe8Mh12rU/view?usp=drive\\_link](https://drive.google.com/file/d/1PNflUpwwcgeG3iDseiCtY-HWe8Mh12rU/view?usp=drive_link)

planning permission for an LNG terminal, but without knowing exactly what the LNG terminal actually is or how it will be operated. This is like signing a blank cheque, putting faith in a Department already operating in a sleight of hand in obfuscating its real intentions in a corrupt manner. It is unacceptable that an Amendment to the Main Bill would go through pre-legislative scrutiny before even the Heads of Bill of the Main Bill are published.

## 6. **Background:**

- a. This proposed Bill is based initially on the [Policy statement on the Importation of Fracked gas](https://www.gov.ie/en/publication/f3774-policy-statement-on-the-importation-of-fracked-gas/)<sup>9</sup> published in May 2021. It confirmed that “the Government does not support the importation of fracked gas”. It recognised that “fracked gas can have significantly higher greenhouse gas emissions than conventional natural gas, both nationally and globally, and the widespread use of fracked gas would not be consistent with Ireland’s 2030 and 2050 climate objectives nor globally with the Paris Agreement;” It also declared that *“Ireland imports much of its natural gas via the two interconnector pipelines from Moffat in Scotland, which provide the majority of natural gas currently used in Ireland. Given the level of fracked gas in the imports from Scotland is considered very low, the highest risk of fracked gas being imported into Ireland on a large-scale would be via liquefied natural gas (LNG) terminals, if any were to be constructed”*. The conclusion of the Policy Statement was that the Government approved that “pending the outcome of the review” [which would be *published in November 2023 as the Energy Policy Strategy*] “of the security of energy supply of Ireland’s electricity and natural gas systems, it would not be appropriate for the development of any LNG terminals in Ireland to be permitted or proceeded with”.
- b. For the security of energy supply review, the Department for the Environment had [ordered](https://drive.google.com/file/d/1c-in_Y9qBT4pdsKugr56k1_VHjVilBpC/view)<sup>10</sup> that *“any options identified must be in keeping with the commitments in the Programme for Government. This includes any policy statement that is developed to establish the approach to the Government’s stated commitment not to support the importation of fracked gas”*.
- c. In September 2022, the Department published a [short-list of preferred options](https://www.gov.ie/en/publication/5c499-energy-security-in-ireland-to-2030/)<sup>11</sup> which ruled out “commercial” LNG terminals.
- d. The final Energy Policy Strategy, [published](https://www.gov.ie/en/publication/5c499-energy-security-in-ireland-to-2030/)<sup>12</sup> in November 2023, [Action 17](https://www.gov.ie/en/publication/5c499-energy-security-in-ireland-to-2030/)<sup>13</sup> came out of that Policy on the Importation of Fracked gas which obliged the solution proposed to be
  - i. “On a transitional basis for use in the event of a disruption to gas supplies”,
  - ii. “Does not inadvertently increase gas demand by increasing the supply available on the market”,

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<sup>9</sup> <https://www.gov.ie/en/publication/f3774-policy-statement-on-the-importation-of-fracked-gas/>

<sup>10</sup> [https://drive.google.com/file/d/1c-in\\_Y9qBT4pdsKugr56k1\\_VHjVilBpC/view](https://drive.google.com/file/d/1c-in_Y9qBT4pdsKugr56k1_VHjVilBpC/view)

<sup>11</sup>

<https://safetybeforelng.ie/pressreleases/pressrelease20220919-IrishEnergyReviewDoesNotSupportShannonLNG.html>

<sup>12</sup> <https://www.gov.ie/en/publication/5c499-energy-security-in-ireland-to-2030/>

<sup>13</sup>

<https://assets.gov.ie/static/documents/energy-security-in-ireland-to-2030-265afb44-cdff-4acc-b507-afe44a2462c8.pdf>

- iii. “Compatible with the Climate Action and Low Carbon Development Act 2015-2021”,
- iv. “State-led”, meaning “Commissioned by the State via GNI within a regulatory framework overseen by CRU”,
- v. “Will meet the EU N-1 infrastructure Standard” where “Regulation (EU) 2017/1938 sets out key security of supply standards including the N-1 infrastructure standard which requires that EU Member States should be capable of meeting exceptionally high gas demand in the event of a loss of the single largest gas infrastructure”.
- e. The Government approved<sup>14</sup> the construction of an FSRU by GNI in March 2025 as per Action 17 of the Energy Policy Strategy, which it confirmed, once more, was
  - i. to be for “emergency use only”,
  - ii. to be “owned on behalf of the State by the system operator, Gas Networks Ireland” and
  - iii. “not an entry point to the market”.

## 7. ***Glaring issues of Concern in the proposed Bill:***

- a. Head 5: The Disapplication of the Planning and Development Acts to the designated development “to allow an alternative process of direct application to the Minister to be made instead” is unacceptable. Why bother having a planning process at all if the Minister can effectively apply to himself for planning permission? There is already a process in place where projects coming under the category of Strategic Infrastructure projects apply directly to An Comisiún Pleanála instead of to the local planning authority in the first instance. Now the Minister wants to grab the power to make the decision himself.
- b. We note the concept put forward in Head 6(2) where, for the first time, that the planning authority, An Coimisiún Pleanála, would carry out an environmental impact assessment. Up to this point, developers performed their own EIA which inevitably risked inbuilt developer bias, which was then evaluated by the planning authority. However, this EIA should be independent, otherwise, the Commission would be evaluating its own work!
- c. In Head 8 (1), any entity as prescribed by the Minister may apply for approval to build an LNG terminal. This is not limited to State-owned bodies, which the explanatory note said would include private bodies applying on their behalf. This is not clarified in the proposed wording and is in direct contravention of the government decision in March 2025 that the LNG terminal would be “owned on behalf of the State by the system operator, Gas Networks Ireland”.
- d. Head 17, where the Decision of Minister may override the recommendation of An Coimisiún Pleanála, is completely unacceptable as it makes a mockery of the planning process.
- e. If the grab for power in this bill wasn’t blatant enough in Head 17, Head 19(1) goes beyond the Pale in proposing that “the Minister may prescribe such matters of procedure

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<sup>14</sup>

<https://www.gov.ie/en/department-of-climate-energy-and-the-environment/press-releases/government-approves-development-of-state-led-strategic-gas-emergency-reserve/>

and administration as appear to the Minister to be necessary or expedient in respect of this Act".

- f. Going from the incredulous to the ridiculous, Head 20 proposes declaring that "the designated development is deemed to be in compliance with the provisions of the Climate Action and Low Carbon Development Act, 2015". This is in direct contravention of the approved Energy Policy Strategy which obliges that the option proposed to be "compatible with the Climate Action and Low Carbon Development Act 2015-2021". Deeming the project compatible with the Climate Act is not a magic wand that makes it true; rather it is a legalistic sleight of hand with malevolent intent in our opinion. In April 2025, the Climate Change Advisory Council and the Fiscal Advisory Council published a [report](#)<sup>15</sup> calculating that "the state may have to pay out €8 to €26 billion to its EU partners if it does not step up on climate action it has agreed to". A dramatic change from the approved decision by the Government to build, but not operate a State-owned LNG terminal, needs proper assessment and cannot be dreamed up behind closed doors by Department officials without assessing the financial exposure facing the State as a consequence of ignoring the climate action it has previously agreed to.
- g. Head 20's explanatory note is relying on [Section 2\(a\)](#)<sup>16</sup> of the Climate Action and Low Carbon Development Act 2015-2021, which states that nothing in this act shall operate to affect existing or future obligations of the State under the law of the European Union, but it omits what those laws are relating to, namely the environment and greenhouse gas emissions.
- h. Head 21 deems, magically, that the project would be considered to have a Maritime Area Consent permit, giving in the explanatory note the reasoning that this "is a non-commercial state project". There is absolutely no consideration to be taken of the fact that the Maritime area is adjacent to the Sacrifice zone that is Aughinish Alumina. Haven't the people near Aughinish not been killed and injured enough with the toxic poison from Aughinish without adding another Seveso II site approximately 2 miles away?
- i. Head 23 allows the Minister to unacceptably determine Compulsory Purchase orders for the pipeline infrastructure and the development of the project without passing through An Comisiúin Pleanála and without any oral hearings on the matter.
- j. Head 24 is providing for further specific cost rules in relation to judicial review challenges. Given the chilling scale of fees for environmental judicial reviews under section 294 of the Planning and Development Act 2025 ([Scale of Fees](#)<sup>17</sup>), it is only feared that this section's aim will be to further prevent non-prohibitively expensive challenges to the administrative decision by the Minister in direct contravention of Article 19 TEU (Judicial Protection), Article 4 TEU (Sincere Cooperation), Article 9 Aarhus Convention (Access to Justice) Article 6 of the ECHR (Human Rights) and in direct

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<sup>15</sup> <https://www.fiscalcouncil.ie/a-colossal-missed-opportunity/>

<sup>16</sup> <https://revisedacts.lawreform.ie/eli/2015/act/46/revised/en/html#SEC2A>

<sup>17</sup>

<https://www.gov.ie/en/department-of-climate-energy-and-the-environment/consultations/consultation-on-the-regulation-of-costs-payable-in-matters-prescribed-on-foot-of-section-295-of-the-planning-and-development-act-2024-scale-of-fees/>

contravention of the principle that the Effectiveness of European Law must prevail over the Equivalence of Procedural Autonomy.

#### **8. Omissions in the proposed Bill:**

- a. It is clear that the bill aims to avoid scrutiny of the approval decision for what would be a commercially-operated, so-called “non-commercial” LNG terminal by removing the application of the planning act, by removing the Maritime consent process, by deeming it complies with the Climate Act and by the Minister giving approval for the project to himself as well as the decision on compulsory purchase of the necessary land. This is an abuse of power.
- b. It is supposed to be for emergency use only - but this project not only proposes to build the jetty and pipeline infrastructure connecting to the national grid; it also proposes having LNG tankers commercially supplying up to 6 LNG tankers a year - 13% of the country’s gas market and equivalent to the entire domestic gas consumption in the country. If the project only proposed to build the infrastructure then it may possibly comply with the Climate Act obligations, but it is because the intention is clearly made to ignore the Climate Act obligations that it is obvious that the malevolent intent of the Department is to operate the facility commercially. Indeed, when Gas Networks Ireland announced<sup>18</sup> in December that it had chosen Cahiracon, Kildysart, County Clare as its chosen location for the State-owned LNG terminal, it was noted that In Gas Networks Ireland’s documents<sup>19</sup> on the proposed terminal, important information parts such as greenhouse gas emissions, weaknesses, safety implications, threats, costs and environmental implications for the Shannon Estuary were redacted. The cost of building and running the facility is predicted at €900 million, which will be recouped through tariffs on customers’ energy bills. When questioned about the viability of procuring LNG non-commercially, a gas networks Ireland official at the hastily-organised public consultation a few days after the announcement a GNI official said they’d have to “tag on” to a commercial facility.
- c. The operating floating LNG terminal would require a minimum of six refills per year, displacing 13% of current Irish gas demand<sup>20</sup>. Research by US scientist Prof. Robert Howarth, including his 2024 paper “The Greenhouse Gas Footprint of Liquefied Natural Gas (LNG) Exported from the United States<sup>21</sup>”, shows that LNG from the US carries an exceptionally high global warming potential. According to the calculations<sup>22</sup> based on Howarth’s work<sup>23</sup>, simply swapping the current gas supply for imported US LNG would

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<https://safetybeforelng.ie/pressreleases/pressrelease20251203-Second-Shannon-LNG-Terminal-Proposed.html>

<sup>19</sup> <https://www.gasnetworks.ie/about/projects/strategic-gas-emergency-reserve/documents>

<sup>20</sup>

<https://www.gov.ie/en/department-of-climate-energy-and-the-environment/press-releases/government-approves-development-of-state-led-strategic-gas-emergency-reserve/>

<sup>21</sup> <https://scijournals.onlinelibrary.wiley.com/doi/10.1002/ese3.1934>

<sup>22</sup> <https://stopshannonlng.ie/lng-emissions-calculator/>

<sup>23</sup>

<https://www.energy.gov/sites/default/files/2024-02/084.%20Bill%20McKibben%2C%20A%20Smoking%20>

drive an additional 1.34 million tonnes of global life-cycle emissions — even under the “minimal use” scenario presented by GNI. This alone would be comparable to 5% of Ireland’s territorial emissions. And no account has been taken of the fact that supplying 13% of current Irish gas demand represents a new gas entry point into the country.

- d. No reference has been made to private LNG terminals in this proposed legislation. No account has been made of the consequences of this defacto new entry point on the rights of private companies to apply for planning permission to build their own LNG terminals under international Trade laws, even though the entire basis for building this State-owned emergency-use-only LNG terminal in the first place was to avoid having commercially-operated LNG terminals in the country such as proposed by Shannon LNG. The financial exposure of the State to litigation by Shannon LNG, if it is refused<sup>24</sup> planning permission, based on the fact that the Department itself is planning to commercially operate a similar facility needs to be considered. If the intention by the Department is to open the flood gates for private LNG terminals, who could then apply directly to the Minister under this proposed Legislation to bypass the obligation to get planning permission, then this would represent even more malevolent intent at corruption by the Department.
- e. An Coimisiún Pleanála even wrote in June to the Minister that the Shannon LNG project planning application<sup>25</sup>, which was remitted back to it for further consideration following a High Court Decision<sup>26</sup> in favour of Shannon LNG, was “*a private FRSU and not a state led one*” and given that the Government had approved the development of a state-owned LNG terminal, the Commission was seeking “*clarity as to what is the policy in relation to private FSRUs*”. The Minister wrote back that “*on the 4th March 2025, the Government approved the development of a temporary State-led strategic gas emergency reserve*<sup>27</sup>, to secure Ireland’s energy systems, as an interim measure, as we continue to transition to an indigenous, clean renewable energy future”. The Minister failed to address the clear question asked of him by the Commission, which was “*to provide the Commission with information as to what in the Minister’s view are the implications of the Government’s current policy, as announced on the 4th March 2025, for this application currently under consideration by the Commission*”.
- f. LNG cannot be stored in floating LNG tankers - they are a supply infrastructure, not a storage infrastructure. The N-1 emergency rule relates only to use when the largest gas infrastructure in the country, one of the LNG pipelines from Norway and the UK via Scotland are out of use - the remaining gas infrastructure should be able to take up the

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[Gun%20for%20Biden%E2%80%99s%20Big%20Climate%20Decision\\_%20\\_%20The%20New%20Yorker.pdf](#)

<sup>24</sup>

<https://safetybeforelng.ie/pressreleases/pressrelease20250922-No-Policy-Support-For-Multiple-Irish-LNG-Terminals.html>

<sup>25</sup> <https://www.leanala.ie/en-ie/case/322568>

<sup>26</sup>

<https://www.courts.ie/view/Judgments/333ae579-31ef-453f-b74b-259fb893aec6/523470db-3378-4c2d-936e-d5e383b20e49/2024 IEHC 555.pdf/pdf>

<sup>27</sup>

<https://www.gov.ie/en/department-of-climate-energy-and-the-environment/press-releases/government-approves-development-of-state-led-strategic-gas-emergency-reserve/>

slack due to such an outage. If an LNG tanker only holds 7 days of the entire gas consumption in the country, then the only security of supply is if LNG could be imported at short notice to the country. In this scenario the EU Solidarity mechanism in the EU [Security of Supply Regulation](#)<sup>28</sup> triggers. Commercial use of the State-led terminal before this emergency is not therefore needed.

#### 9. **Recommendations:**

- a. An Coimisiún Pleanála should be the approval body for the planning application and not the politically-exposed and publicly-elected Minister for Climate, Energy and the Environment.
- b. The CRU (Commission for the Regulation of Utilities) should have higher approval authority to override the politically-exposed and elected Minister for Climate, Energy and the Environment as per Action 17 which obliges “a regulatory framework overseen by CRU”.
- c. In the interest of anti-corruption, anti-authoritarianism and good governance, there should be a triple lock of approval so that if any of An Coimisiún Pleanála, or the Minister, or the CRU is against the proposed State-led Emergency Gas Reserve, then the project cannot proceed.
- d. There should be a reference to the outcome of the policy on the importation of fracked gas, that the country does not support the importation of fracked gas or the operation of LNG terminals in the country since this is the reason that the State is proposing to construct its own, emergency-use only LNG terminal.
- e. There should be a distinction made in the Bill between the construction of the infrastructure of a floating LNG terminal and the operation and supply of such a terminal to be limited to an N-1 emergency only.
- f. This bill should only apply to State bodies to prevent private LNG companies from being allowed to also bypass the planning process.
- g. This bill should not allow the Minister to “prescribe such matters of procedure and administration as appear to the Minister to be necessary or expedient in respect of this Act”.
- h. The Department should not be allowed to “deem” projects applying for consent under this proposed Bill to be in compliance with the provisions of the Climate Action and Low Carbon Development Act, 2015 as amended.
- i. The Department should provide the proposed heads of Bill for the Main Strategic Gas Emergency Reserve (Amendment) Bill that it informed the Committee it was preparing, in the interest of having full visibility of what the impacts of this legislation will have on the current Bill, instead of pulling the cart before the horse in first publishing an amendment to the Main Bill.
- j. The EIA that this Bill is proposing to be undertaken by An Coimisiún Pleanála should be independent, otherwise the Commission will be evaluating its own work.
- k. Maritime Consent should not be put solely in the hands of the Minister for a State-run LNG terminal.

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<sup>28</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R1938&qid=1695728376732>

- I. Compulsory purchase consent should not be moved from An Coimisiún Pleanála to the Minister and the Minister should not be allowed to award compulsory purchase without an oral hearing.
- m. The implications of a new gas entry being created supplying 13% of current Irish gas demand by a State-owned LNG terminal operating commercially (not agreed to by the Government), instead of being for emergency-use only, needs to be assessed, since this undermines the entire basis for having this Bill in the first place.
- n. Most importantly, we are requesting that the Committee urgently addresses and investigates our accusation of Corruption by the Department in this matter, as outlined above.

I consent to my name and contact details being published by the Committee regarding this submission.

John McElligott  
Safety Before LNG  
[www.SafetyBeforeLNG.ie](http://www.SafetyBeforeLNG.ie)