

Submission on Consultation Paper for the High Level Design of Petroleum Safety Framework

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This submission is based on Consultation Questions provided with the Consultation Paper

Section 7: Permissioning

Designation

I believe that criterium (ii) should be amended to remove the word “major” from the text. This is a largely subjective term and could give rise to uncertainty as to whether a petroleum undertaking is designated by the Framework.

I believe that criterium (iii) should be updated so as to include infrastructure that is used to service infrastructure that is directly connected to the resevoir. In particular, it should be worded such that infrastructure used for the storage of fluids and waste products (eg in hydraulic fracturing) should be covered by the designation. I believe that “connected activities” of this nature should be designated, and not dealt with separately.

Criterium (iii) should also make it clear that infrastructure used in exploration (eg drilling) should be covered by the designation, rather than refer to infrastructure that is directly connected to, or has the potential to be connected to, the resevoir.

I believe that designation should apply to exploration, extraction, conveyancing and decommissioning activity.

Co-ordination of permissioning

I believe that the no petroleum undertaking should be granted permission to undertake exploration or extraction activity until such time as all relevant pollution control licenses have been granted by the Environmental Protection Agency.

Section 8 Compliance Assurance:

Status of inspectors

I support the view that CER's inspectors should include both in-house staff and third party Independent Competent Persons (ICPs).

Frequency of inspections

I believe that inspections should be carried out on the basis of prescriptive frequency, rather than on the basis of risk, and that such inspections should **not** be signalled in advance. I believe that inspections should be carried out at least 4 times per year.

Verification

I believe that a Verification Scheme should form part of Petroleum Safety Framework, and that verifiers should be ICPs.

I believe that ICPs should be contracted by the CER, and not the Petroleum Undertaking.

I believe that approval of the ICP is required, and that approval should be sought from the professional body to which the ICP belongs.

I believe that a 4th party should audit the Verification Scheme.

I believe that the Verification Scheme should apply to both onshore and offshore undertakings.

I believe that the Verification Scheme should apply throughout the life cycle of the petroleum undertaking.

I believe that a separate well examination scheme and well management audit scheme should operate, and that this should be undertaken by relevant ICPs.

In general, I believe that the CER should pursue compliance on the basis of unannounced inspections of petroleum undertakings.

Section 9: Petroleum Incidents

I believe that classification of petroleum incidents to be notifiable to the CER is insufficient, and should include a classification that refers to environmental damage which has the potential to be injurious to human health. I believe this is particularly important in relation to onshore exploration and extraction activity.