

Eamonn Murtagh

From: Robert Birtwistle

Sent: 27 September 2011 11:57

To: Eamonn Murtagh

Subject: Consultation Paper on the High Level Design of the Petroleum Safety Framework CER/11/137 (12)

I am particularly interested in the outcome of the consultation and its relevance to the process of fracking which is proposed in several areas of natural beauty in this country and if allowed could endanger the environment and health of all of the people.

To:

Eamonn Murtagh

Project Manager – Petroleum Safety Framework,

Commission for Energy Regulation,

The Exchange, Belgard Square North,

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Dublin 24.

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Dear Sir

Re: Consultation Paper on the High Level Design of the Petroleum Safety Framework CER/11/137 (12)

The Commission for Energy Regulation (CER) has a responsibility to ensure that safety regulations are consistent and within best international regulatory practice. Whilst the paper requests consultation and appears to welcome critical appraisal of the ways in which it can achieve its stated aims and intentions, there appear to be a number of inconsistencies. For instance in the forward of this paper, Dermot Nolan (CER Chairperson) and Garrett Blaney (CER Commissioner) have both signed that it is their intention to deliver a safe Irish petroleum exploration and extraction industry. However by page iii of the executive summary this has been reduced to a mere vision of a safe Irish petroleum exploration and extraction industry and the role of the CER is reduced to fostering and encouraging safety in petroleum exploration and extraction activities. I believe this to be a good indication of the lack of commitment to both setting exacting goals and enforcement of the necessary rules which might lead to safe exploration and extraction if such a thing is possible.

However the very definition of safe as it is normally meant and is described in the proposal itself means the absence of danger. From the great deal of evidence available I do not believe that it is possible to carry out 'safe fracking'. Furthermore, the goals of CER are stated as being that petroleum undertakings reduce risks to a safety level that is ALARP, meaning as low as reasonably practical. This also does not coincide with the definition of safe.

Furthermore, the proposals also state that the framework should be goal setting rather than prescriptive in its nature and whilst the reasons for this are clearly given, the main point being that legislation is likely to lag behind technology, this does leave the possibility of loopholes and the likelihood of exploitation using unsafe technology.

Given the current levels of knowledge and experience and the high incidence of hazard, I believe that fracking should be banned until such time as the majority of the people are convinced that fracking will cause no significant environmental or social damage that will affect either the current population or their children's heritage the Precautionary Principle should apply.

Yours faithfully

Robert.