

**Consultation on High Level Design of Petroleum Safety Framework  
Respondent Meeting  
Scott Coombs  
Wednesday, October 12<sup>th</sup> 2011**

**Location:** CER Offices  
**Time:** 14:30  
**Attended by:** Scott Coombs  
Eamonn Murtagh CER  
Kieran Walsh CER  
Theresa Reddy CER Consultant, GL Noble Denton

**Minutes:**

*1. Introduction & Overview of Process:*

- The meeting was opened by CER and all attendees were introduced.
- The CER outlined the process by which the Consultation Response Paper and Draft Decision Paper would be published. Consultation Responses and minutes of Consultation Response Meetings will be published in early November. Consultation Response Paper and Draft Decision Paper expected to be published before Christmas 2011.

*2. Presentation by Scott Coombs describing his Response to Consultation Paper:*

A presentation was given by Scott Coombs outlining a number of key specific points from his response to the Petroleum Exploration and Extraction Act Consultation Paper. The key points of his response are summarized below

1. The Nature of Fracking and the challenges in regulating it:

A Master Development Plan for an entire area should be submitted by all companies seeking a license to carry out fracking in an area. The cumulative impact of multiple wells needs to be addressed. Hence the assessment needs to consider all operations in an area including all proposed well-pads as opposed to consideration of individual well-pads. In order to achieve this it was recommended that the definition of a "petroleum activity" should cover all wellpads and associated works in a geologic area, such that if there are 100 wells in an area, they should not be regulated as 100 separate activities, since they are all extracting from a single shale formation.

- a) Full groundwater testing should be carried out before any fracking activities take place in an area, to establish a reference point as regards water quality in the area.
- b) All short and long term risks from fracking need to be addressed not just risks arising from major accident hazards Consideration should be given to impacts to the environment, landscape, earthquakes and subsidence, radioactivity, chemicals, pollutants, noise, traffic, air/water contamination,

surface/ground water contamination, waste water disposal, short and long term effects including long-term cumulative effects.

2. Concerns regarding the consequences of Fracking:

- a) The CER should have the power to ban certain activities. The objective of regulation of petroleum activities should be to determine whether certain activities should be allowed at all as opposed to the view that petroleum activities will be allowed, but will be made as safe as possible. The permissioning system should explicitly reserve the right to refuse permission where (with regard to the social, environmental, and indirect economic consequences) activities cannot demonstrate a clear net benefit to the communities in which they take place
- b) The public should have a 'rights-based' involvement in identifying societal risks, such that the public have the right to all safety information other than information which would in itself pose a threat if it was in the public domain.
- c) The CER should have the authority to assign powers to itself or other regulatory agencies if there is a gap in regulations.
- d) A minimum enforcing and resourcing threshold should be maintained, such that the regulatory authorities will have the ability to enforce the requirements of the Petroleum Safety Framework.

3. Other recommendations/concerns/questions:

- a) 'Produced water' from the process of fracking should be regulated.
- b) The input of residents local to a development should be considered, even though some of this evidence may be non-scientific in nature. Local knowledge and concerns merit consideration in an application to carry out activities in a given area.
- c) When will the Petroleum Safety Framework come into place? How will petroleum safety be regulated in the mean time?
- d) Is the CER participating in the EPA study on fracking recently requested by Minister Rabbitte?