

Tina Graham

Subject: ALARP Demonstration Guidance Document under the Petroleum Safety Framework
Attachments: Comments on ALARP document 211212.docx

From: jerrieann sullivan
Sent: 21 December 2012 19:22
To: Alice Hanly; Eamonn Murtagh
Subject: ALARP Demonstration Guidance Document under the Petroleum Safety Framework

20th December 2012

Commission for Energy Regulation

The Exchange

Belgard Square North

Tallaght

Dublin 24

Re. Comments on ALARP Demonstration Guidance Document under the Petroleum Safety Framework

Dear Mr. Eamon Murtagh,

I wish to make the following comments in relation to the CER document entitled ALARP Demonstration Guidance Document under the Petroleum Safety Framework and the 'public consultation' process referred to in this document.

1. It would appear that in fact a 'public consultation' has not been conducted by the CER in relation to the matters raised in document. Through what media are the public expected to become informed about the existence of this consultation? I only heard about this consultation by word of mouth from concerned residents facing the prospect of petroleum industry coming to their local area. The public, and indeed communities who stand to be affected by petroleum industry activities have no way of finding out about this consultation. Were radio, television and newspaper advertisements created and publicised in order to communicate the importance of the issues being decided upon in this document? If not, why not? What provisions were taken to ensure that people likely to be affected by future petroleum activities were aware of this consultation and able to participate in it? What provisions were taken to ensure that people with low literacy, people without internet access, and people without financial resources had opportunities to hear about the existence of and participate in this consultation. On what grounds can the CER process be considered to be 'public consultation'? How does the CER 'consultation' process meet the requirements of the Aarhus convention? Can you point to any evidence to show that this 'consultation process' is anything more than a pretence of compliance with requirements for public consultation being carried out without any intention by civil servants to take the public opinion on board?

2. Has the preparation for the ALARP Demonstration Guidance Document fully considered the specific circumstances of hydraulic fracturing or fracking in the unconventional extraction of shale gas in Ireland? If not, why not?

3. Why does the document presume that there is a tolerable risk level for petroleum activities? Given that the WHO calculates that 300 000 people already lose their lives due to anthropogenic climate change each year, on what ethical or other basis is it presumed that there the extraction of further petroleum resources is tolerable? How are risks to life and to health in communities in Ireland and globally due to climate change assessed in this instance?
4. How are health impacts of petroleum activities such as fracking handled in the proposed ALARP Demonstration guidance? On what basis can a health impact experienced by a personal be objectively defined and assigned an industry cost?
5. What ethical principles underpin the guidance document? In particular what values and ethcial principles have been used to determine what is a grossly disproportionate cost to industry for avoiding risk to a human life?
6. If the document is to apply to the fracking industry in Ireland will ALARP Demonstration include a full listing of all chemicals to be used and require industry and regulators to take account of the total risk associated with the multiple wells and gas pipelines?
7. How will the total risk that persons are exposed to as a result of fracking and other petroleum industry activities, the level of hazard identified by the cumulative risk factors associated with the industry be known and assessed over time? How, when and by whom will Health Impact Assessments be conducted? How long will health impacts be monitored for? How will health monitoring and health protection of the public be enforced by the regulator? How it is proposed to quantify and assign 'proportionate' costs for avoiding the risks of subjective experienced harm to a persons health, wellbeing and quality of life by petroleum industry activities?
8. The paper identifies the first stage in hazard management as the comprehensive identification of hazards. In the case of hydraulic fracturing this is a relatively young industry and applied in the Irish context, there is no understanding of the likely hazards and no detailed analysis of appropriate codes and standards to safely manage this activity. In the absense of adequate information how can hazards be comprehensively indentified?
9. How does the CER define good practice? How does the document take account of the influence of political and economic factors which influence what is considered good practice at any given time by regulators and by industry? How does the document take account of changes to good practice over time? Good practice evolves as knowledge and experience increases over time. How does the CER propose to define and justify what exactly 'good practice' is for hydraulic fracturing in Ireland? What principles, evidence, expertise would be used to justify a definition of good practice?
10. How would the proposed guidance ensure the evaluation of the entire cumulative risk that the public are exposed to from petroleum activities, considering risk to ground water, air emissions, explosive hazard and the interaction between these petroleum industry impacts and impacts of other industries in Ireland which are not under the remit of the CER?

Yours sincerely,

J. Sullivan

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Regards,

Jerriann Sullivan