

Appendix I – Consultation Questions - with Shell E&P Ireland Comments

No.	Consultation Question	Agree: Yes/No	Comment
1.	Respondents are requested to comment on the above proposed procedure and suggest any changes which respondents believe could improve the procedure.	Yes	No comment.
2(a)	Respondents are requested to suggest reasonable timeframes in relation to the following: (a) the length of time within which the petroleum undertaking should submit its request for exclusions to the CER, having received a request for a public version;	Yes	We would suggest a 4 week period to allow the petroleum undertaking to submit its request for exclusions to the CER.
2(b)	(b) how long should the petroleum undertaking have to make further submissions to the CER if it disagrees with the CER's refusal or part refusal?	Yes	We would suggest that the petroleum undertaking should have 4 weeks to make further submissions to the CER.
3	Do respondents agree with the proposed scope of the public version of the approved safety case?	Yes	We agree with the proposed scope of the public version of the approved safety case, i.e. the safety case alone (excluding referenced documents) should be provided by petroleum undertakings.
4(a)	Respondents are requested to provide comments on the proposed guidance of each of the Exclusion Criteria:	Yes	No comment.

Shell E&P Ireland Ltd. comments

	(a) Industrial and commercial confidentiality		
4(b)	(b) Personal confidentiality	Yes	No comment.
4(c)	(c) Public security	Yes	No comment.
4(d)	(d) National defence	Yes	No comment.
5.	Do respondents agree with the CER's proposal to recommend a standard, nominal fee that petroleum undertakings should charge to members of public who request a copy of the approved safety case?	Yes	We agree with the proposal that a standard, nominal fee should be charged to cover the cost of making the approved safety case available.
6.	Respondents are requested to suggest what fee would be reasonable, with associated rationale.	Yes	<p>Electronic copies of the approved safety case could be made available in CD format for a standard, nominal fee of ca. €5 (based on a quotation received).</p> <p>If a printed copy is required then we would suggest that the fee should cover the printing costs. We have received some quotations from printing companies in relation to printing copies of a safety case. Based on these quotations, it is estimated that a black and white copy of an approved safety</p>

			<p>case could cost up to ca. €120 and that a colour copy could cost in the region of €500 to €900 to print.</p>
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Additional comments

Section	Comment
<p>3.1.2 National Precedent – Freedom of Information</p>	<p>We note that the Freedom of Information Act also refers to ‘Law Enforcement’ (in Part III, Exempt Records) and it is SEPIL’s view that the CER should also consider exclusion based on ‘information which might prejudice the administration of justice or interfere with parties to litigation.’</p> <p>In addition to the Freedom of Information Act, the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2006, ‘Regulation 18 Information for the safety of the public’, paragraph (12) and ‘Regulation 34 Restrictions on disclosure of information’ could also provide the CER with further guidance on the exclusion criteria.</p>