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You are here [News](#) > [Fracking](#)

## Councillors seek clarification on fracking concerns



*Minister of State, Fergus O'Dowd.*

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A small group of Leitrim's councillors recently meet with Minister of State, Fergus O'Dowd in a bid to clarify some of the issues surrounding proposals to use hydraulic fracturing in north Leitrim.

Councillors questioned the possible effect of fracking on the tourism and agriculture industry and also raised concerns about the potential contamination of water supplies by the process.

The divisiveness of funding being offered locally by the developer and the level of interaction between consent authorities both North and South of the border in respect to the current licensing option were also highlighted during the meeting.

Following the meeting, the Minister of State issued a five page document clarifying matters for members of Leitrim County Council.

In the document he noted that the licensing options for Tamboran Resources Pty Ltd and Lough Allen Natural Gas Company Ltd were for a two year period from March 1, 2011 to February 28, 2013 and "specifically exclude exploration drilling".

He acknowledged that, during the same period the Government in Northern Ireland had awarded Tamboran Resources Pty Ltd a five year exploration licence in Co Fermanagh but stressed that the "licensing regimes North and South are not dissimilar, that both jurisdictions are subject to the same EU Directives and that there is ongoing engagement between the consent authorities in both

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allow the companies to assess the gas potential of the area “largely based on desktop studies of existing data”.

The Minister pointed out that any application for an exploration licence for processes that include hydraulic fracturing would be subject to an environmental assessment considering, amongst other things, the potential impacts on population, fauna, flora, soil, water air and the architectural and archaeological heritage and landscape of the area.

Under the Directive, Minister O’Dowd said “it is not possible to permit a project unless it can be determined following assessment that it would not have an unacceptable environmental or social impact”.

The Minister said that he believed at least one of the companies currently involved in the licensing option will apply for an exploration licence before the end of the option period next February.

“If such an application were to be received it would then be subject to appropriate Environmental Assessment ... and where any developments has the potential to impact on a Natura 2000 site, Appropriate Assessment in accordance with the requirements of the Habitats Directive would also be undertaken by the Department of Communications, Energy and Natural Resources,” he said.

The process would also be subject to a public consultation for a minimum of eight weeks, followed by an oral hearing. The Department of Communications, Energy and Natural Resources would also consult with other relevant statutory authorities such as the EPA and the National Parks and Wildlife Service as well as any relevant Local Authorities before reaching any decision.

Referring to the compilation of the Environmental Impact Statement by a developer, Minister O’Dowd said this could take anywhere up to six or eight months to prepare and the assessment process for an exploration licence would be expected to take up to a further 8 to 10 months assuming no additional information was required.

“On that basis, should an application for an exploration licence be made before the current Licensing Options expire it is not expected that a decision on such an application should be made until at least early 2014,” he said.

If granted, he acknowledged that the activity during the exploration licence phase “would most likely involve two to three exploration wells at a number of sites.”

However he said that a Technical Safety Assessment for each project would also have to be carried out by the Commission for Energy Regulation after the Minister had authorised it.

“Experience suggests that it can take a developer up to 12 months to prepare a safety case application,” and this assessment can only commence once the Minister has authorised the development.

Planning permission would also be required from the local authority for the well pads with a time frame allowing for objections over a minimum of five weeks.

“Should all of the foregoing stages progress and in the event of a commercial discovery arising from the result of an Exploration, there is a comprehensive regulatory framework that would apply,” he said.

If a development required a large number of well pads it would also require a number of additional statutory consents including: planning consent from An Bord Pleanála under the Strategic Infrastructure Act; an Integrated Pollution Prevention Control Licence from the EPA; a Petroleum Lease and a Plan of Development consent and a Gas Pipeline consent from the Minister for Communications, Energy and Natural Resources; A Gas Act consent and a safety case approval from the Commission for Energy Regulation.

The Minister of State pointed out that EU environment legislation was also likely to impact on the assessment of fracking projects.

Following the publication of a preliminary background research study in to the environmental aspect of

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A working group, involving representatives from the Department of Communications, Energy and Natural Resources and the EPA is currently developing a specification for this study and it is intended that the findings would inform the consideration of any future application for an exploration licence.