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Attention: To whom it concerns

Ref: 2013-1

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The steering committee developing:

**PROPOSED TERMS of REFERENCE for EPA/DCENR/NIEA Research Programme
on Environmental Impacts of Unconventional Gas Exploration & Extraction (UGEE)**

Dear Steering committee

I have reviewed the content of the proposed terms of reference and included my comments as part of this document.

I thank you for the opportunity to comment on the proposed Terms of Reference for an extensive and comprehensive programme of research into Unconventional Gas Exploration and Extraction on the Island of Ireland

In Addition I confirm that I wish to have a meeting with the steering group to discuss the content of my submission.

Please do not hesitate to contact me should you have any quires in relation to my comments

Explanatory note:

Text taken from the draft document will be shown in red

Text imported from other documents in blue

My own comments are in black

Yours sincerely

A handwritten signature in black ink that reads "Eddie Mitchell". The signature is written in a cursive style and is placed on a light-colored rectangular background.

Eddie Mitchell

Written comments on public consultation for research on Environmental Impacts of Unconventional Gas Exploration & Extraction

Before considering granting exploration licences for (UGEE) Unconventional Gas Exploration & Extraction it is important first to figure out if Fracking can be carried out safely in an Irish geological context but the Political decision to grant Licences must be based on a wider analysis of the impacts of the Industry over its Life cycle.

1. Background - Unconventional Gas Exploration & Extraction

“The fracking fluid also contains small amounts (typically < 2% in total by volume) of chemical additives such as acid to help initiate fractures, corrosion and scale inhibitors to protect the borehole lining and gelling agents to alter the fluid viscosity”

While this sentence is an extract from the Aberdeen report please recognise that the downplaying of large volumes of chemicals by expressing them as a percentage of volume rather than by weight or actual volume is of concern.

2. Unconventional Gas Exploration & Extraction on the Island of Ireland

Thank you for this explanatory note.

I am concerned if by “activities planned” you mean activities planned by government. In your final draft please clarify. You may be sending out the wrong signal to investors.

3. Previous Research on Unconventional Gas Exploration & Extraction

“Further research is required to fully understand the potential impacts on the environment from the use of this technology. The key questions this research needs to answer are:”

1) “Can this technology be used whilst also fully protecting the environment and human health? If the answer is yes, then:”

The answering of this question is vital to filling the knowledge gap in the decision making process around UGEE.

How can this question be answered without the benefit of a health impact assessment? There is a fundamental problem with answering the questions in relation to human health when there is no representative on the steering committee with responsibility for human health. The decision not to allow the department of health to have a role on the steering committee is fundamentally flawed. There will be no confidence in this committee’s ability to answer this question regarding human health until this lack of human health expertise is addressed.

See below an extract from:

“A Review of the Environmental Protection Agency” by The Environmental Protection Agency Review Group completed in May 2011

VII. Human health impacts

Of all the concerns about environmental matters, it is the potential for impacts on human health that gives rise to most anxiety. The EPA uses a standards based approach in assessing the potential health impacts of proposed activities, in its monitoring of industrial licensee's performance, waste disposal and water quality. Many other countries now use a risk based approach building on formal health impact assessments (HIA), which combine quantitative risk estimates and more qualitative outcomes from community and stakeholder engagement and the Review Group considers that there is a strong case for HIA, where appropriate, to become a formal requirement of the licensing process carried out by the EPA.

Any research into understanding whether this technology can be used whilst also fully protecting human health must involve the chief medical officer with responsibility for human health. Please appoint the chief Medical officer of Ireland "Dr Tony Holohan" to the steering committee considering whether this technology can be used safely whilst protecting Human Health.

Cumulative impacts of the unconventional gas industry must be considered in relation to this natural resource's potential to supply energy into the Island's energy mix including potential demand from exporting either gas or electricity. No exploration licence should be granted without understanding the possible downsides to becoming dependent on shale gas in our energy mix and this dependence could lead to an exasperated risk to the environment and human health. This energy security Issue is also an environment and a health risk.

Extract from EPA

"The overarching goal for our future must be to ensure that as Ireland begins to work its way back to economic recovery, it goes in a sustainable direction."¹

Include the EPA's priority to ensure that developments are sustainable² by adding the question

Can this technology be used whilst also fully ensuring that UGEE is sustainable development?

Having considered the above and all other relevant considerations be prepared to say yes but also have an open mind and be prepared to say no in the interest of positive development. The precautionary principle should apply while accessing whether the process can be carried out while fully protecting human health.

4. Funding Organisations

Will financial constraints limit the choice of contractors or the scope of the work?

¹ http://www.epa.ie/downloads/pubs/indicators/00061_EPA_SoE_2012.pdf

Ireland's Environment An Assessment extract from conclusion.

² http://www.epa.ie/downloads/advice/ea/00425_SEA_Action%202012%20-2016%20.pdf page 2

5. Further Research

“In order to assist government bodies in making informed decisions about future licensing and management of UGEE on the island of Ireland, comprehensive knowledge of the potential environmental impacts of this process is required. This knowledge will be generated from a number of sources including EU and international research and through a programme of research being commissioned by EPA and other bodies through this call.”

I would ask the steering committee to also commit to the following actions

- Commit to a trans-boundary Strategic Environmental Assessment.
- Commit to a Human health Assessment.
- Conduct research on the impact of Unconventional gas demand in our energy mix and assess the cumulative impacts on the environment of meeting such demand.
- Carry out an animal Impact assessment to insure there is no risk to animal health.

Thank you for your proposal to look at the impacts to water and seismic activity.

6. Contractor Experience and Conflict of Interest Issues

“Applicants shall be required to demonstrate in-depth knowledge of a range of legal, environmental, socioeconomic and technical issues including knowledge of mineral and fossil fuels (preferably unconventional gas) extraction practices and technologies.”

There is no requirement for the contractor any demonstrate any Human Health Expertise particularly with reference to UGEE. Why?

I would ask the steering committee to also commit to the following actions

- Insure that the people on this steering committee have no conflict of interest in connection with the outcome of the research?
- Insure that the public interest will be protected and conflicts of interest cannot arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest in relation to the steering group
- Make the people sitting on the steering committee accountable for their actions

The criteria to be used for selecting successful contractors should be drafted and made available for public comment.

7. Indicative Timeframe:

Please allow the public time to comment again after the final terms of reference are published in the interest of meaningful engagement.

End